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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. HASTINGS of Washington).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 27, 1999.

I hereby appoint the Honorable DOC HASTINGS to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

E-RATE

Mr. BLUMENAUER. Mr. Speaker, my goal in Congress is for the Federal Government to be a better partner with States, local government, business, and private citizens in promoting livable communities. This means helping our citizens guarantee their families they are safe, economically secure, and healthy.

While we give much attention to the physical infrastructure in livability, roads, housing, transit, environmental protection, there is another funda-

mental building block of a livable community and that is a healthy education system.

The Federal Government has, throughout our history, been a key partner with the States and local communities in education. Some mistakenly suggest that there is no Federal role. Yet from the Northwest Ordinance of 1789, which set aside land in each of the new States for educational purposes, to the GI Bill following World War II, to the important legislation in the 1980s that expanded educational opportunities to the disabled, the Federal Government has played an instrumental role in the development of American education.

One of the most important actions Congress has taken in the last 10 years to promote both the goal of quality education and connections to the broader world through the Internet is to be found in the Telecommunications Act of 1996. This Act mandated that some of the billions of dollars in savings for the telecommunications industry be returned to our community in the form of reduced rates for Internet access.

Known as the E-Rate, short for educational rate, it is part of the Federal Universal Service Fund. It provides a 20 to 90 percent discount on telecommunications services, Internet access, and internal connections for public schools, both public and private, as well as our library systems.

One of the major battles in the last Congress was to protect the E-Rate. There were some justifiable concerns about the initial start-up, but these were turned into political issues that threatened the future of the discount itself.

Others tried to turn it for partisan advantage, attacking the Vice President in his work to develop the information superhighway, characterizing the E-Rate as a "Gore tax." While it was a clever laugh line, it ignored the

fact that the Universal Service Fund has been an accepted part of the Federal communication landscape for over 60 years.

Adding the E-Rate to this mechanism simply brought it up to date, to the modern challenges faced by both rural and urban America. It was exciting to be a part of a coalition that included educational advocates, farsighted members of the industry, libraries across the country, and over 100 Members of Congress who put their names on the line as part of that effort.

Although scaled back somewhat, and with some important adjustments and reform, we were able to hold the system intact. There were over 25,000 applications approved who received \$1.66 billion.

Well, the word is in for this year. There are even more applications than last year, over 36,000 from around the country, more applications, and the total requests are over \$2.4 billion.

Even though we successfully resisted efforts to eliminate the E-Rate in the last Congress, and even though public opinion polls show overwhelming support for it, we must not be complacent. Once again, there is legislation circulating in this session of Congress that would repeal the E-Rate and deny this essential program.

I am optimistic that we will prevail in protecting it. I am optimistic that this administration and this Congress will approve more money for school construction, and that we will do a better job being a partner to provide more teachers in our classrooms.

But it is essential, as we focus on education and livable communities, that we protect and enhance the capacity of every child in this country to gain computer skills and have access to the worldwide Internet connection.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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INTERNATIONAL RELIGIOUS
FREEDOM ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Virginia (Mr. WOLF) is recognized during morning hour debates for 5 minutes.

Mr. WOLF. Mr. Speaker, 6 months ago today President Clinton signed the International Religious Freedom Act into law. The law mandates that within 120 days of enactment individuals shall be named to the Commission on International Religious Freedom created by the bill.

It has been 6 months since enactment of the bill, 2 months past the deadline, and the White House has still not named its three commissioners. Congress has done its part, but we are still waiting for the administration. When will the White House get serious about implementing this legislation?

In early February, the President spoke before a crowd of religious and political leaders from around the world at the National Prayer Breakfast. He praised the bill and he said he was proud to have signed it. But where is the implementation? Where is the enforcement? Where is the commitment?

The commission's first report on the condition of religious freedom around the world is due on May 1, this Saturday. Because the administration has wasted so much time in making the appointments, there is no way that the commission will meet that date, and it is unlikely that we will see a report this year. Another year wasted while people are being maimed, tortured, beaten, jailed and killed on account of their faith.

I believe it was the administration's intention to miss the May 1 deadline for the commission's report. This ensures this issue will not get a serious examination by an independent entity as the bill intends. It ensures that the administration can continue to fudge the facts instead of taking serious actions against countries that refuse to protect the human rights of religious believers.

The administration never really liked this bill. Secretary Albright spoke out against the bill. Assistant Secretary Eizenstat criticized the bill. But once Congress overwhelmingly, Republicans and Democrats, passed the bill and sent it to the White House, the President had no choice but to sign it. Then he praised it. Now they are stonewalling it on the implementation. All talk, no action. That is how I would describe the action of this administration with regard to human rights: All talk and no action.

The administration's record on promoting human rights is miserable. China's Catholic priests and bishops are still in jail today and have been in there for decades, for decades, and nobody has been appointed to this commission; Protestant pastors and lay people, decades, and nobody has been appointed to the commission. Worshipers being imprisoned, fined.

Freedom House has said the already intense persecution of the underground church in China has intensified since mid-1998. There was no mention of this during the recent summit with the Chinese Premier. Neither was there any discussion about the fact that China has stopped all dialogue with the Dalai Lama over the future status of Tibet, or the Chinese Government-sponsored campaign to encourage Tibetan Buddhists to become atheists.

And I was in Tibet last year, and the persecution of the Buddhists in Tibet is horrible. It is more horrible than anybody realizes. And yet no one from this administration has taken the time to go to Tibet to see how the conditions are.

The church in Hong Kong is being squeezed. The war in Sudan, very little diplomatic effort, 2 million people, mainly Christians, who have been killed for their faith in the last 15 years, and this administration has done nothing. They cannot even appoint the people to the commission that we all passed in a bipartisan manner.

In Vietnam the situation is no better. And the administration has done nothing, nor have they appointed the people. In India, Pakistan, Indonesia, East Timor, atrocities taking place, and they do nothing.

There is so much going on around the world. There is no excuse for this commission not to be given a chance to do its work. That is what Congress, Republican and Democrat, wanted, that is what the American people wanted when it passed the International Religious Freedom Act, which has strong bipartisan support.

The House leadership, both majority and minority leadership, found time to name the 6 commissioners, and the leadership on both sides of the aisle supported this commission. Why cannot the administration find time to appoint these people?

I hope the administration will at least move to appoint people to the commission, 120 days late, on International Religious Freedom. Too much time has been wasted. The lives of innocent people are at stake every day in China, every day in the Sudan, every day in East Timor, every day in Indonesia, and yet 120 days they have missed the deadline.

They are basically in violation of the law. They have had 6 months. Because this administration has taken so long, my guess is that they will appoint people who are weak and ineffectual on this issue.

Mr. Speaker, I hope I am wrong. And if I am wrong, I will be glad to say they have appointed good people and decent people who care deeply about this. But please appoint someone. Appoint someone so the Commission can begin its action.

MEDICARE MUST NOT BE
PRIVATIZED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, many in Congress have been on a campaign to scare America's seniors into believing that Medicare is going bankrupt. They say Medicare must be privatized in order to save it. Once again, Medicare privatizers and their Medicare campaign are wrong. The trustees of the Medicare Trust Fund have just reported that Medicare will remain solvent through 2015, up from its earlier projection of 2008.

Those in Congress, the think tanks, and the Beltway pundits who want to privatize Medicare are wringing their hands over the trustees' latest report. They believe these new projections will lead Congress to do nothing towards reforming Social Security and Medicare. With the programs projected to last longer, we cannot rest on our laurels, they say.

The real threat to Medicare, however, is not its alleged pending bankruptcy. That is not true. The real threat is a proposal just rejected by the National Medicare Commission to privatize Medicare and deliver it to the private insurance market.

Under a proposal soon to be introduced called premium support, Medicare would no longer pay directly for health care services. Instead, it would provide each senior with a voucher good for part of the premium for private coverage. Medicare beneficiaries could use their voucher to buy into the fee-for-service plan already in effect, sponsored by the Federal Government, or join a private HMO plan.

To encourage consumer price sensitivity, the voucher would track to the lowest cost private plan. Ostensibly, seniors would shop for the plan that best suits their needs, paying the balance of the premium and paying extra if they want higher quality health care. The proposal would create a system of health coverage but, most importantly, it would abandon Medicare's fundamental principle of egalitarianism.

Today, the Medicare program is income-blind. All seniors have access to the same level of quality care. The idea that vouchers would empower seniors to choose a health plan that best suits their needs is a myth. The reality is that seniors will be forced to accept whatever plan they can afford.

The goal of the Medicare Commission was to ensure the program's long-term solvency. The premium support proposal simply will not do that. Supporters of this voucher plan say it could shave 1 percent per year from the Medicare budget over the next few decades. But Bruce Vladeck, a former Medicare administrator, doubted it would save the Federal Government even one dime.

Efforts to privatize Medicare are, of course, nothing new. Medicare beneficiaries have long been able to enroll in private Medicare plans. Their experience, however, does not bode well in a full-fledged privatization effort.

□ 1245

These managed care plans are already calling for higher government payments, they are dropping out of unprofitable markets, they are cutting back on benefits to America's elderly.

Managed care plans obviously are profit-driven and they simply do not tough it out when their profits are not realized. We learned this the hard way last year when 96 Medicare HMOs deserted more than 400,000 Medicare beneficiaries because the HMOs were not meeting their profit objectives.

Before Medicare was launched in 1965, more than one-half of the Nation's seniors had no health insurance. Private insurance was then the only option for the elderly. But insurers did not want seniors to join their plans because they knew that seniors would use their coverage. The private insurance market has changed considerably since then but it still avoids high-risk enrollees and, whenever possible, dodges the bill for high cost medical services.

The problem is not malice or greed, it is the expectation that private insurers can serve two masters: the bottom line and the common good. Logically looking at the bottom line, our system leaves 43 million people without health insurance, 11 million of whom are children. Only Medicare can insure the elderly and disabled population because the private market has failed to do so.

If we privatize Medicare, we are telling America that not all seniors deserve the same level of health care. We are betting on a private insurance system that puts its own private interests ahead of health care quality and ahead of a balanced Federal budget.

The goal is simple, Mr. Speaker. Let us keep Medicare the successful public program it has always been.

THE PEOPLE'S RIGHT TO KNOW

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Under the Speaker's announced policy of January 19, 1999, the gentleman from Arizona (Mr. HAYWORTH) is recognized during morning hour debates for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, I rise this afternoon, and first let me offer a debt of gratitude to my friend from Ohio who, in very Orwellian fashion, has offered the rhetoric of fear rather than facts that we will hear in Campaign 2000. Indeed, it is very revealing to now hear the "Mediscare" tactics of the left, to deny the fact that the very reason the Medicare trustees say that Medicare's life has been lengthened was because of the new majority's plan to save Medicare that we successfully enacted after the jihad that was waged against us, politically speaking, in 1996 with a liberal Mediscare plan.

It is also worth noting, while we are in the neighborhood, Mr. Speaker, that the bipartisan commission, headed by the gentleman from Louisiana in the other body, and the gentleman from California with whom I am pleased to serve on the House Committee on Ways and Means offered a variety of avenues that give seniors, our most honored citizens, a variety of choices. It is revealing that there are those who would like to limit the freedom of Americans to make choices in their own interests.

But I rise today, Mr. Speaker, to speak of another matter that goes directly to the core of our survival as a constitutional republic. It is, Mr. Speaker, the people's right to know. Mr. Speaker, in the very near future, it is my understanding that Johnny Chung will testify before the House Committee on Government Reform about contributions, political contributions the Communist Chinese Government made to the Clinton/Gore campaign and to the Democratic National Committee in 1996. It has been interesting, Mr. Speaker, to note the coverage, or perhaps lack thereof, of this important issue in the Nation's press.

Now, to be sure, Mr. Speaker, I understand full well the nature and the scope of the first amendment to the Constitution, Congress shall make no law abridging freedom of the press, nor would I ever advocate such a dereliction or disruption of our first amendment rights. But it is fair, Mr. Speaker, in the marketplace of ideas to ask my former colleagues in television, where will they be when Johnny Chung comes before the congressional committee to testify about these contributions?

We should also say in passing, a tip of the rhetorical hat is necessary to many publications, whether the New York Times, the Washington Times, the Los Angeles Times, the Washington Post, many mainstream publications who have chronicled the abuses.

But now, Mr. Speaker, it is time for my former colleagues in television to step up, specifically those news networks that are available via cable with 24-hour-a-day coverage. Without trying to set their agenda, but in the spirit of constructive criticism and open dialogue in a free republic, I would challenge the cable news networks, I would challenge public broadcasting, to follow the example of C-SPAN.

And from this vantage point I can say, Mr. Speaker, that we congratulate C-SPAN on 20 years of service to the American people, bringing to the people of our Nation an unvarnished, straight conduit of what happens in the halls of Congress, what happens on the floor of this House and what happens in the many committee rooms.

But I would welcome far more exposure of these hearings. Indeed, Mr. Speaker, one is tempted to look at the recent promotional campaign of the Public Broadcasting Service and the rhetorical question that is asked: "If PBS won't do it, who will?"

Indeed, I think of the recent past when I was a private citizen in the 1980s, the mid- to late-1980s, seeing on public television gavel-to-gavel coverage of the confirmation hearings of Judge Bork, the confirmation hearings eventually of Mr. Justice Thomas, and all the mainstream media scrutiny. How much more important it is then, Mr. Speaker, that the media devote its considerable energies and its agenda-setting ability to checking into these disturbing allegations that go to the very fabric of our constitutional Republic.

For, Mr. Speaker, if there are those both within and outside government who seek to influence decisions and policy for another government that wishes us ill, the consequences for our national survival are grave indeed.

COMPREHENSIVE ELECTRIC RESTRUCTURING BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, deregulation of the airlines, natural gas, railroads, telecommunications, and trucking industries yields annual savings equal to nearly 1 percent of America's gross domestic product. This Congress, we will attempt to craft a measure that will finally and successfully unleash competition and savings from utility reform, electric deregulation.

In recent years, competition has replaced regulation for the electric power industry in a number of nations, including the United Kingdom, New Zealand, Norway, Chile and Argentina. Many took a very long-term approach to this process. The United States faces a unique situation in that our electric power industry is largely already privatized. So we must focus on alternating our current system and effectively fostering more competition.

This should not be done through a Federal mandate. Clearly, we would be wise to make the State-mandated restructuring more efficient instead of imposing a separate Federal mandate. I see the ideal measure as one that fosters competition, avoids Federal mandates and lowers rates for all consumers. To create this legislation, we must eliminate outdated laws, inject fairness into the process, and delineate the proper roles of the Federal Government and State governments. But do not misunderstand me: Reforming the electric industry is no simple matter. This is an enormous undertaking. Congress considers the livelihoods of entire industries constitutional questions and the interests of the entire rate-paying public in addressing this very complex issue. Accordingly, we must address these points to fully realize the benefits of energy reform. Every consumer must benefit from this deregulation, not just the large industrial users of electricity. I am concerned that any

rush in reforming the electric utility industry could result in large industrial users seeing greater benefits while residential users and small businesses would pay for that benefit.

We must honor past regulatory schemes and commitments and allow recovery of stranded investments. Electric utilities incurred "stranded costs" under a regulatory scheme not of their choosing. These utilities made long-term decisions based upon decades of regulation. To deny industry the recovery of these costs would go against the fairness I spoke of earlier. That being said, lower costs should be fostered by real deregulation and industrial and regulatory innovation, not by simply shifting costs. We should not merely "reshuffle the deck" to see who pays.

A significant hurdle to deregulation is the diverse nature of power generators, including public power providers, municipalities, investor-owned utilities, and power marketing associations. Reconciling these disparate views will be a monumental task, yet fairness demands that we produce a level playing field for all energy providers and transmitters.

So reforming the energy industry on a Federal level demands clarifying, simply clarifying the roles of the Federal and State governments. Where does the Federal responsibility end and the States' begin? The diverse situation among the States adds to these reform difficulties. Some States have always supported regulation, others have taken progressive stances, while still others, like my home State of Florida, enjoy the benefits of moderately priced electricity and see little need for major reform.

Eliminating the barriers to entry into the electric market is fundamental to this reform. We must repeal the Public Utilities Regulatory Policy Act, PURPA, and the Public Utility Holding Company Act, PUHCA, to ensure that any transition to retail competition is truly competitive. The entire efficacy of PURPA centered on the supposition that producing electricity would become more expensive. In fact, Mr. Speaker, it has become cheaper. Thanks to PURPA, Americans will pay \$38 billion in higher electric bills over the next 10 years than they should.

Deregulation of the electric industry requires consideration of a myriad of factors. The stakes are very high, but so are the benefits. To that end, I am introducing today a piece of Federal legislation that will change all that. It is called the Electric Energy Empowerment Act of 1999. It will not mandate the States to act, but instead will empower and encourage them to enact measures providing these customers retail competition and choice.

My legislation amends the Federal Power Act to clarify jurisdictional boundaries between state and federal authorities, thus empowering the states to enact competitive retail electricity markets. As an incentive for the states to move forward, the legislation includes a reciprocity condition. Further, the legislation elimi-

nates the existing federal barriers to competition: it encourages the establishment of independent transmission system operators, and it deregulates the wholesale market by making the FERC wholesale open access rules applicable to non-jurisdictional entities.

I think everyone will agree that we are inevitably moving toward an electricity industry based on competition, market force, and lower rates. This is certainly my goal as I introduce this legislation today.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 58 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STEARNS) at 2 p.m.

PRAYER

The Reverend Charlie Martin, Indian Rocks Baptist Church, Largo, Florida, offered the following prayer:

Lord, we humbly pray for Your blessings upon our people today. America needs what only You can provide. We want Your will, we need Your direction, we desire Your peace, and we ask Your protection for all people. We read where You said, "If my people which are called by my name shall humble themselves and pray, and seek my face and turn from their wicked ways, I will hear from heaven and will forgive their sins and heal their land."

Please bring healing to America and to all of our world. For our leaders, O God, grant wisdom for each decision and bless their families with Your love. This we pray in the name of Christ our Lord. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOME TO PASTOR CHARLIE MARTIN

(Mr. YOUNG of Florida asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, I am very proud to introduce today the chaplain who delivered our opening prayer. Pastor Charlie Martin is the pastor of the First Baptist Church of Indian Rocks, which is in Largo, Florida, which is right in the heart of the Tenth Congressional District that I have the privilege to represent.

Like many of my colleagues, I have an opportunity to visit with many churches throughout the district and throughout our State, and I must say that I have found no one who is more inspiring in their message and delivery of the Bible than Pastor Charlie Martin. He is a dynamic religious leader, and he makes going to church a lot of fun.

He delivers his messages in such an entertaining way that people clamor to come to the church to the effect that he has to have at least three services every Sunday morning. He is respected and loved in our community. His ministry is very unique. He reaches out to everyone. He has a community outreach program that goes far beyond the county limits of our county back home. It is worldwide, in effect.

Mr. Speaker, I would just like to mention an example of the worldwide outreach. Many of us know the problems of the people in Bosnia, the refugees and orphans that are housed with very little clothing, very little supplies. We called this to the attention of Pastor Charlie and he and the members of the church turned out in large numbers, collected an airplane full of shoes and sweaters and supplies for babies, and we had it delivered to Bosnia to the orphanages. That is just one example of many, many more.

As I said, Pastor Charlie is the pastor of our people, he is our pastor at home, and wherever I go throughout my congressional district, people are approaching me constantly saying, "Congressman, it is nice to see you in Pastor Charlie's church," or "Congressman, I am a member of Pastor Charlie's church," and everyone knows who Pastor Charlie is.

Now my colleagues have had an opportunity to meet him and have him here today. I am very proud to have him as our guest here today, Pastor Charlie Martin of the Indian Rocks Baptist Church in Largo, Florida.

THE TIME IS NOW FOR PRAYER IN OUR SCHOOLS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute.)

Mr. TRAFICANT. Mr. Speaker, another school tragedy, another scapegoat. This time it is guns. Littleton is not just about guns, parents or discipline. Littleton is much to do with Congress.

That is right. A Congress that allows God to be banned from our schools while our schools can teach about

cults, Hitler, and even devil worship is wrong, out of touch, and needs some common sense.

It is time for Congress to look in the mirror, and it is time for Congress to allow local school boards to make those decisions.

TIME FOR REFORM OF THE SATELLITE HOME VIEWERS ACT

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, the Second Congressional District of Nevada is a vast area containing about 110,000 square miles and 1.2 million people, many of whom are spread out over a large portion of rural Nevada.

So today I rise to support meaningful reform of the Satellite Home Viewers Act. Every American, no matter where they live, deserves access to their local television networks. Our office has received thousands of phone calls and letters from frustrated constituents in my home State. These honest, hard-working Nevadans are frustrated over the current Federal law which prevents them from receiving local programming with a satellite dish. They often ask, "Why will the Federal Government not let me watch my local news?" The only answer is because of outdated, misconstrued Federal regulations.

We need to reform the Satellite Home Viewers Act to reflect the changes in technology, to change the mistakes of the Federal Government and adhere to the needs of the American people. Today I urge my colleagues to join me in helping reform the Satellite Home Viewers Act.

WE MUST NOT PRIVATIZE SOCIAL SECURITY

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, conservatives in the Republican Party are proposing that Congress privatize Social Security, turning it over to Wall Street, even though Social Security will be solvent at least until 2034.

Privatization in many parts of government has simply gone too far. The purpose of public prisons, for example, is to protect the public, to punish and to rehabilitate. The purpose of privatized prisons is to maximize profit by reducing staff and too often cutting back on security. The purpose of public medical systems is to provide the best health care possible to all people. The purpose of privatized medical systems is to maximize profit, often meaning that the quality of care is compromised.

The purpose of a public pension system, a public Social Security system is to provide a bedrock source of income for the elderly to keep them out of poverty. A privatized Social Security sys-

tem would end that guaranteed income.

Mr. Speaker, we must not privatize Social Security. Let us keep Social Security the very important public program that it has been for 60 years.

MILITARY READINESS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the dishonest demagoguery about Social Security has begun. However, I continue to be troubled by the state of our military readiness. For years the Clinton administration has reduced spending for national defense while sending our troops on more and more deployments. The result, our military readiness has declined.

Case in point: A Lieutenant Junior Grade in our Navy was recently quoted as saying, and I quote, "It took us two days to complete what should have been a two-hour procedure for all of these reasons: We could not get a hydraulic test stand that worked correctly. The support equipment people could not fix the hydraulic test stand because they did not have the correct publications. The publications had not been updated to reflect the new tool requirements. Nobody knew how to operate the new test equipment. If we do not have the people or tools to fix the aircraft, then the aircraft cannot fly."

Mr. Speaker, we need to commit to restoring our military to a level capable of defending the United States of America. We need to support our troops, our young sons and daughters who lay their lives on the line to defend this great country.

WELCOME TO DELTA SIGMA THETA SORORITY

(Mrs. JONES of Ohio asked and was given permission to address the House for 1 minute.)

Mrs. JONES of Ohio. Mr. Speaker, I rise to welcome Delta Sigma Theta Sorority, Incorporated to Delta Days on Capitol Hill. If my colleagues will look up in the viewing area, there are some 550 Deltas here on the Hill. This is our tenth anniversary, and we have come to talk about issues that impact the African American community. Delta Sigma Theta is a sorority of 180,000 women nationwide with some 900 chapters.

Our colors are crimson and cream and red and white. Our national president is Marcia Fudge. The head of our Social Action Committee is Devarieste Curry.

There are two Members of the House that are members of the Delta Sigma Theta Sorority. They are my colleague, the gentlewoman from Florida (Mrs. MEEK) and myself. On behalf of the Congress, we welcome you to the Hill and we hope to hear all you have to tell us.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentlewoman is reminded not to refer to the gallery, but to address the Chair.

KEEP U.S. TROOPS OUT OF KOSOVO

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUYKENDALL. Mr. Speaker, I would like to share some thoughts of one of my 12-year-old constituents on Kosovo, and I quote:

"I would like to know why our government is thinking about sending troops to Kosovo. This sounds a lot like a Vietnam type of war which lasted 9 years. I am 12 now, and if this lasts for 6 more years, then I might be drafted and have to go to war. In my parents' generation almost everyone knows someone who served in the Vietnam War. Not too many people speak highly of our involvement in Vietnam. I want to be a successful person and a good citizen when I grow up. I want to uphold those great ideals I read about in Washington, D.C. that our Founding Fathers set down in the Declaration of Independence, the Constitution, the Bill of Rights, as well as many other places. I would like my country to be seen as doing the 'right thing' or fighting for a 'noble' cause. Right now in Kosovo it does not look like that to all of the nations of the world.

"I visited the Vietnam War Memorial and the Korean War Memorial and toured Arlington National Cemetery. I saw monuments to thousands of Americans who gave their lives for freedom. My father spoke with me about the meaning of these monuments and the sacrifices Americans made during these conflicts. How Kosovo a part of that duty?"

To Justin Kawahara, I say that is an excellent question.

COMMITMENT TO END VIOLENCE IN OUR NATION

(Mr. MARKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARKEY. Mr. Speaker, the tragedy in Colorado has saddened our country and has highlighted a deadly mix of violent imagery and guns. Addressing the cumulative effects of years of violent imagery means addressing issues on TV, in the movies, and on the Internet.

Dealing with children's access to guns and explosive materials is something we must do as a society. An effective, proactive response must include a willingness on the part of industry leaders to deal pragmatically with access to certain content on the Internet.

□ 1415

I strongly encourage the industry to begin a dialogue with parents and community leaders on this issue.

The reality is that the Internet has a Dickensian quality to it. It is the best of wires and the worst of wires, simultaneously. It has the ability to ennoble and enable, and at the same time to debase and degrade. It is time for our country to begin the discussion as to how we are going to resolve this tension in favor of the children in our society.

CANCER RESEARCH VITALLY IMPORTANT

(Mr. TAUZIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAUZIN. Mr. Speaker, I take this moment for very personal reasons. At this moment my mother, Enola, is recovering in a hospital in New Orleans, Ochsner Clinic, from her third very important cancer surgery.

In 1960 she was operated on for breast cancer, and survived that awful plague. In 1980 she was operated on for lung cancer, and survived that awful condition. Today the doctors reported to me just a few minutes ago that Mom has come through successful uterine cancer surgery with at least a 90 percent chance of recovery.

Mom, to you and to all the cancer survivors across America, what an inspiration you are to your family and to this country in the fights you wage against this awful disease.

To all who struggle in the fields of research, and who raise the monies and spend those critically short dollars to find a cure for this awful disease, I ask them to keep up their great work. They have given me my mother all these years, and I deeply appreciate them.

Mom, God bless you, and a speedy recovery, dear.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. STEARNS). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

SATELLITE COPYRIGHT, COMPETITION, AND CONSUMER PROTECTION ACT OF 1999

Mr. ARMEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1554) to amend the provisions of title 17, United States Code, and the

Communications Act of 1934, relating to copyright licensing and carriage of broadcast signals by satellite, as amended.

The Clerk read as follows:

H.R. 1554

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Satellite Copyright, Competition, and Consumer Protection Act of 1999".

TITLE I—SATELLITE COMPETITION AND CONSUMER PROTECTION

SEC. 101. SHORT TITLE.

This title may be cited as the "Satellite Competition and Consumer Protection Act".

SEC. 102. RETRANSMISSION CONSENT.

Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) by amending paragraphs (1) and (2) to read as follows:

"(b)(1) No cable system or other multichannel video programming distributor shall retransmit the signal of a television broadcast station, or any part thereof, except—

"(A) with the express authority of the originating station;

"(B) pursuant to section 614, in the case of a station electing, in accordance with this subsection, to assert the right to carriage under such section; or

"(C) pursuant to section 338, in the case of a station electing, in accordance with this subsection, to assert the right to carriage under such section.

"(2) The provisions of this subsection shall not apply—

"(A) to retransmission of the signal of a noncommercial television broadcast station;

"(B) to retransmission of the signal of a television broadcast station outside the station's local market by a satellite carrier directly to its subscribers, if—

"(i) such station was a superstation on May 1, 1991;

"(ii) as of July 1, 1998, such station was retransmitted by a satellite carrier under the statutory license of section 119 of title 17, United States Code; and

"(iii) the satellite carrier complies with all network nonduplication, syndicated exclusivity, and sports blackout rules adopted by the Commission pursuant to section 712 of this Act;

"(C) until 7 months after the date of enactment of the Satellite Competition and Consumer Protection Act, to retransmission of the signal of a television network station directly to a satellite antenna, if the subscriber receiving the signal is located in an area outside the local market of such station; or

"(D) to retransmission by a cable operator or other multichannel video provider, other than a satellite carrier, of the signal of a television broadcast station outside the station's local market if such signal was obtained from a satellite carrier and—

"(i) the originating station was a superstation on May 1, 1991; and

"(ii) as of July 1, 1998, such station was retransmitted by a satellite carrier under the statutory license of section 119 of title 17, United States Code.";

(2) by adding at the end of paragraph (3) the following new subparagraph:

"(C) Within 45 days after the date of enactment of the Satellite Competition and Consumer Protection Act, the Commission shall commence a rulemaking proceeding to revise the regulations governing the exercise by television broadcast stations of the right to grant retransmission consent under this sub-

section, and such other regulations as are necessary to administer the limitations contained in paragraph (2). The Commission shall complete all actions necessary to prescribe such regulations within one year after such date of enactment. Such regulations shall—

"(i) establish election time periods that correspond with those regulations adopted under subparagraph (B) of this paragraph; and

"(ii) until January 1, 2006, prohibit television broadcast stations that provide retransmission consent from engaging in discriminatory practices, understandings, arrangements, and activities, including exclusive contracts for carriage, that prevent a multichannel video programming distributor from obtaining retransmission consent from such stations.";

(3) in paragraph (4), by adding at the end the following new sentence: "If an originating television station elects under paragraph (3)(C) to exercise its right to grant retransmission consent under this subsection with respect to a satellite carrier, the provisions of section 338 shall not apply to the carriage of the signal of such station by such satellite carrier.";

(4) in paragraph (5), by striking "614 or 615" and inserting "338, 614, or 615"; and

(5) by adding at the end the following new paragraph:

"(7) For purposes of this subsection, the term 'television broadcast station' means an over-the-air commercial or noncommercial television broadcast station licensed by the Commission under subpart E of part 73 of title 47, Code of Federal Regulations, except that such term does not include a low-power or translator television station."

SEC. 103. MUST-CARRY FOR SATELLITE CARRIERS RETRANSMITTING TELEVISION BROADCAST SIGNALS.

Title III of the Communications Act of 1934 is amended by inserting after section 337 (47 U.S.C. 337) the following new section:

"SEC. 338. CARRIAGE OF LOCAL TELEVISION SIGNALS BY SATELLITE CARRIERS.

"(a) CARRIAGE OBLIGATIONS.—

"(1) IN GENERAL.—Subject to the limitations of paragraph (2), each satellite carrier providing secondary transmissions to subscribers located within the local market of a television broadcast station of a primary transmission made by that station shall carry upon request all television broadcast stations located within that local market, subject to section 325(b), by retransmitting the signal or signals of such stations that are identified by Commission regulations for purposes of this section.

"(2) EFFECTIVE DATE.—No satellite carrier shall be required to carry local television broadcast stations under paragraph (1) until January 1, 2002.

"(b) GOOD SIGNAL REQUIRED.—

"(1) COSTS.—A television broadcast station asserting its right to carriage under subsection (a) shall be required to bear the costs associated with delivering a good quality signal to the designated local receive facility of the satellite carrier or to another facility that is acceptable to at least one-half the stations asserting the right to carriage in the local market.

"(2) REGULATIONS.—The regulations issued under subsection (g) shall set forth the obligations necessary to carry out this subsection.

"(c) DUPLICATION NOT REQUIRED.—

"(1) COMMERCIAL STATIONS.—Notwithstanding subsection (a), a satellite carrier shall not be required to carry upon request the signal of any local commercial television broadcast station that substantially duplicates the signal of another local commercial television broadcast station which is secondarily transmitted by the satellite carrier

within the same local market, or to carry upon request the signals of more than 1 local commercial television broadcast station in a single local market that is affiliated with a particular television network.

“(2) NONCOMMERCIAL STATIONS.—The Commission shall prescribe regulations limiting the carriage requirements under subsection (a) of satellite carriers with respect to the carriage of multiple local noncommercial television broadcast stations. To the extent possible, such regulations shall provide the same degree of carriage by satellite carriers of such multiple stations as is provided by cable systems under section 615.

“(d) CHANNEL POSITIONING.—No satellite carrier shall be required to provide the signal of a local television broadcast station to subscribers in that station's local market on any particular channel number or to provide the signals in any particular order, except that the satellite carrier shall retransmit the signal of the local television broadcast stations to subscribers in the stations' local market on contiguous channels and provide access to such station's signals at a non-discriminatory price and in a nondiscriminatory manner on any navigational device, on-screen program guide, or menu.

“(e) COMPENSATION FOR CARRIAGE.—A satellite carrier shall not accept or request monetary payment or other valuable consideration in exchange either for carriage of local television broadcast stations in fulfillment of the requirements of this section or for channel positioning rights provided to such stations under this section, except that any such station may be required to bear the costs associated with delivering a good quality signal to the local receive facility of the satellite carrier.

“(f) REMEDIES.—

“(1) COMPLAINTS BY BROADCAST STATIONS.—Whenever a local television broadcast station believes that a satellite carrier has failed to meet its obligations under this section, such station shall notify the carrier, in writing, of the alleged failure and identify its reasons for believing that the satellite carrier is obligated to carry upon request the signal of such station or has otherwise failed to comply with other requirements of this section. The satellite carrier shall, within 30 days of such written notification, respond in writing to such notification and either begin carrying the signal of such station in accordance with the terms requested or state its reasons for believing that it is not obligated to carry such signal or is in compliance with other requirements of this section, as the case may be. A local television broadcast station that is denied carriage in accordance with this section by a satellite carrier or is otherwise harmed by a response by a satellite carrier that it is in compliance with other requirements of this section may obtain review of such denial or response by filing a complaint with the Commission. Such complaint shall allege the manner in which such satellite carrier has failed to meet its obligations and the basis for such allegations.

“(2) OPPORTUNITY TO RESPOND.—The Commission shall afford the satellite carrier against which a complaint is filed under paragraph (1) an opportunity to present data and arguments to establish that there has been no failure to meet its obligations under this section.

“(3) REMEDIAL ACTIONS; DISMISSAL.—Within 120 days after the date a complaint is filed under paragraph (1), the Commission shall determine whether the satellite carrier has met its obligations under this chapter. If the Commission determines that the satellite carrier has failed to meet such obligations, the Commission shall order the satellite carrier, in the case of an obligation to carry a

station, to begin carriage of the station and to continue such carriage for at least 12 months, or, in the case of the failure to meet other obligations under this section, shall take other appropriate remedial action. If the Commission determines that the satellite carrier has fully met the requirements of this chapter, the Commission shall dismiss the complaint.

“(g) REGULATIONS BY COMMISSION.—Within 180 days after the date of enactment of this section, the Commission shall, following a rulemaking proceeding, issue regulations implementing this section.

“(h) DEFINITIONS.—As used in this section:

“(1) SUBSCRIBER.—The term ‘subscriber’ means a person that receives a secondary transmission service by means of a secondary transmission from a satellite and pays a fee for the service, directly or indirectly, to the satellite carrier or to a distributor.

“(2) DISTRIBUTOR.—The term ‘distributor’ means an entity which contracts to distribute secondary transmissions from a satellite carrier and, either as a single channel or in a package with other programming, provides the secondary transmission either directly to individual subscribers or indirectly through other program distribution entities.

“(3) LOCAL RECEIVE FACILITY.—The term ‘local receive facility’ means the reception point in each local market which a satellite carrier designates for delivery of the signal of the station for purposes of retransmission.

“(4) TELEVISION BROADCAST STATION.—The term ‘television broadcast station’ has the meaning given such term in section 325(b)(7).

“(5) SECONDARY TRANSMISSION.—The term ‘secondary transmission’ has the meaning given such term in section 119(d) of title 17, United States Code.”

SEC. 104. NONDUPLICATION OF PROGRAMMING BROADCAST BY LOCAL STATIONS.

Section 712 of the Communications Act of 1934 (47 U.S.C. 612) is amended to read as follows:

“SEC. 712. NONDUPLICATION OF PROGRAMMING BROADCAST BY LOCAL STATIONS.

“(a) EXTENSION OF NETWORK NONDUPLICATION, SYNDICATED EXCLUSIVITY, AND SPORTS BLACKOUT TO SATELLITE RETRANSMISSION.—Within 45 days after the date of enactment of the Satellite Competition and Consumer Protection Act, the Commission shall commence a single rulemaking proceeding to establish regulations that apply network nonduplication protection, syndicated exclusivity protection, and sports blackout protection to the retransmission of broadcast signals by satellite carriers to subscribers. To the extent possible consistent with subsection (b), such regulations shall provide the same degree of protection against retransmission of broadcast signals as is provided by the network nonduplication (47 C.F.R. 76.92), syndicated exclusivity (47 C.F.R. 151), and sports blackout (47 C.F.R. 76.67) rules applicable to cable television systems. The Commission shall complete all actions necessary to prescribe regulations required by this section so that the regulations shall become effective within 1 year after such date of enactment.

“(b) ESTABLISHMENT OF NETWORK NONDUPLICATION BOUNDARIES.—

“(1) ESTABLISHMENT OF SIGNAL STANDARD FOR NETWORK NONDUPLICATION REQUIRED.—The Commission shall establish a signal intensity standard for purposes of determining the network nonduplication rights of local television broadcast stations. Until revised pursuant to subsection (c), such standard shall be the Grade B field strength standard prescribed by the Commission in section 73.683 of the Commission's regulations (47

C.F.R. 73.683). For purposes of this section, the standard established under this paragraph is referred to as the ‘Network Nonduplication Signal Standard’.

“(2) ESTABLISHMENT OF IMPROVED PREDICTIVE MODEL REQUIRED.—Within 180 days after the date of enactment of the Satellite Competition and Consumer Protection Act, the Commission shall take all actions necessary, including any reconsideration, to develop and prescribe by rule a point-to-point predictive model for reliably and presumptively determining the ability of individual locations to receive signals in accordance with the Network Nonduplication Signal Standard. In prescribing such model, the Commission shall ensure that such model takes into account terrain, building structures, and other land cover variations. The Commission shall establish procedures for the continued refinement in the application of the model by the use of additional data as it becomes available. For purposes of this section, such model is referred to as the ‘Network Nonduplication Reception Model’, and the area encompassing locations that are predicted to have the ability to receive such a signal of a particular broadcast station is referred to as that station's ‘Reception Model Area’.

“(3) NETWORK NONDUPLICATION.—The network nonduplication regulations required under subsection (a) shall allow a television network station to assert nonduplication rights as follows:

“(A) If a satellite carrier is retransmitting that station, or any other television broadcast stations located in the same local market, to subscribers located in that station's local market, the television network station may assert nonduplication rights against the satellite carrier throughout the area within which that station may assert such rights under the rules applicable to cable television systems (47 C.F.R. 76.92).

“(B) If a satellite carrier is not retransmitting any television broadcast stations located in the television network station's local market to subscribers located in such market, the television network station may assert nonduplication rights against the satellite carrier in the geographic area that is within such station's Reception Model Area, but such geographic area shall not extend beyond the local market of such station.

“(4) WAIVERS.—A subscriber may request a waiver from network nonduplication by submitting a request, through such subscriber's satellite carrier, to the television network station asserting nonduplication rights. The television network station shall accept or reject a subscriber's request for a waiver within 30 days after receipt of the request. The network nonduplication protection described in paragraph (3)(B) shall not apply to a subscriber if such station agrees to the waiver request and files with the satellite carrier a written waiver with respect to that subscriber allowing the subscriber to receive satellite retransmission of another network station affiliated with that same network. The television network station and the satellite carrier shall maintain a file available to the public that contains such waiver requests and the acceptances and rejections thereof.

“(5) OBJECTIVE VERIFICATION.—

“(A) IN GENERAL.—If a subscriber's request for a waiver under paragraph (4) is rejected and the subscriber submits to the subscriber's satellite carrier a request for a test verifying the subscriber's inability to receive a signal that meets the Network Nonduplication Signal Standard, the satellite carrier and the television network station or stations asserting nonduplication rights with respect to that subscriber shall select a qualified and independent person to conduct

a test in accordance with the provisions of section 73.686(d) of title 47, Code of Federal Regulations, or any successor regulation. Such test shall be conducted within 30 days after the date the subscriber submits a request for the test. If the written findings and conclusions of a test conducted in accordance with the provisions of such section (or any successor regulation) demonstrate that the subscriber does not receive a signal that meets or exceeds the Network Nonduplication Signal Standard, the network nonduplication rights described in paragraph (3)(B) shall not apply to that subscriber.

“(B) DESIGNATION OF TESTOR AND ALLOCATION OF COSTS.—If the satellite carrier and the television network station or stations asserting nonduplication rights are unable to agree on such a person to conduct the test, the person shall be designated by an independent and neutral entity designated by the Commission by rule. Unless the satellite carrier and the television network station or stations asserting nonduplication rights otherwise agree, the costs of conducting the test under this paragraph shall be borne equally by the satellite carrier and the television network station or stations asserting nonduplication rights. A subscriber may not be required to bear any portion of the cost of such test.

“(6) RECREATIONAL VEHICLE LOCATION.—In the case of a subscriber to a satellite carrier who has installed satellite reception equipment in a recreational vehicle, and who has permitted any television network station seeking to assert network nonduplication rights to verify the motor vehicle registration, license, and proof of ownership of such vehicle, the subscriber shall be considered to be outside the local market and Reception Model Area of such station. For purposes of this paragraph, the term ‘recreational vehicle’ does not include any residential manufactured home, as defined in section 603(6) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5402(6)).

“(c) REVIEW AND REVISION OF STANDARDS AND MODEL.—

“(1) ONGOING INQUIRY REQUIRED.—Not later than 2 years after the date of enactment of the Satellite Competition and Consumer Protection Act, the Commission shall conduct an inquiry of the extent to which the Network Nonduplication Signal Standard, the Network Nonduplication Reception Model, and the Reception Model Areas of television stations are adequate to reliably measure the ability of consumers to receive an acceptable over-the-air television broadcast signal.

“(2) DATA TO BE CONSIDERED.—In conducting the inquiry required by paragraph (1), the Commission shall consider—

“(A) the number of subscribers requesting waivers under subsection (b)(4), and the number of waivers that are denied;

“(B) the number of subscribers submitting petitions under subsection (b)(5), and the number of such petitions that are granted;

“(C) the results of any consumer research study that may be undertaken to carry out the purposes of this section; and

“(D) the extent to which consumers are not legally entitled to install broadcast reception devices assumed in the Commission's standard.

“(3) REPORT AND ACTION.—The Commission shall submit to the Congress a report on the inquiry required by this subsection not later than the end of the 2-year period described in paragraph (1). The Commission shall complete any actions necessary to revise the Network Nonduplication Signal Standard, the Network Nonduplication Reception Model, and the Reception Model Areas of television stations in accordance with the find-

ings of such inquiry not later than 6 months after the end of such 2-year period.

“(4) DATA SUBMISSION.—The Commission shall prescribe by rule the data required to be submitted by television broadcast stations and by satellite carriers to the Commission or such designated entity to carry out this subsection, and the format for submission of such data.”

SEC. 105. CONSENT OF MEMBERSHIP TO RE-TRANSMISSION OF PUBLIC BROADCASTING SERVICE SATELLITE FEED.

Section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by adding at the end the following new subsection:

“(n) The Public Broadcasting Service shall certify to the Board on an annual basis that a majority of its membership supports or does not support the secondary transmission of the Public Broadcasting Service satellite feed, and provide notice to each satellite carrier carrying such feed of such certification.”

SEC. 106. DEFINITIONS.

Section 3 of the Communications Act of 1934 (47 U.S.C. 153) is amended—

(1) by redesignating—

(A) paragraphs (49) through (52) as paragraphs (52) through (55), respectively;

(B) paragraphs (39) through (48) as paragraphs (41) through (50), respectively; and

(C) paragraphs (27) through (38) as paragraph (28) through (39), respectively;

(2) by inserting after paragraph (26) the following new paragraph:

“(27) LOCAL MARKET.—

“(A) IN GENERAL.—The term ‘local market’, in the case of both commercial and noncommercial television broadcast stations, means the designated market area in which a station is located, and—

“(i) in the case of a commercial television broadcast station, all commercial television broadcast stations licensed to a community within the same designated market area are within the same local market; and

“(ii) in the case of a noncommercial educational television broadcast station, the market includes any station that is licensed to a community within the same designated market area as the noncommercial educational television broadcast station.

“(B) COUNTY OF LICENSE.—In addition to the area described in subparagraph (A), a station's local market includes the county in which the station's community of license is located.

“(C) DESIGNATED MARKET AREA.—For purposes of subparagraph (A), the term ‘designated market area’ means a designated market area, as determined by Nielsen Media Research and published in the DMA Market and Demographic Report.”

(3) by inserting after paragraph (39) (as redesignated by paragraph (1) of this section) the following new paragraph:

“(40) SATELLITE CARRIER.—The term ‘satellite carrier’ means an entity that uses the facilities of a satellite or satellite service licensed by the Commission, and operates in the Fixed-Satellite Service under part 25 of title 47 of the Code of Federal Regulations or the Direct Broadcast Satellite Service under part 100 of title 47 of the Code of Federal Regulations, to establish and operate a channel of communications for point-to-multipoint distribution of television station signals, and that owns or leases a capacity or service on a satellite in order to provide such point-to-multipoint distribution, except to the extent that such entity provides such distribution pursuant to tariff under this Act.”; and

(3) by inserting after paragraph (50) (as redesignated by paragraph (1) of this section) the following new paragraph:

“(51) TELEVISION NETWORK; TELEVISION NETWORK STATION.—

“(A) TELEVISION NETWORK.—The term ‘television network’ means a television network in the United States which offers an interconnected program service on a regular basis for 15 or more hours per week to at least 25 affiliated broadcast stations in 10 or more States.

“(B) TELEVISION NETWORK STATION.—The term ‘television network station’ means a television broadcast station that is owned or operated by, or affiliated with, a television network.”

SEC. 107. COMPLETION OF BIENNIAL REGULATORY REVIEW.

Within 180 days after the date of enactment of this Act, the Commission shall complete the biennial review required by section 202(h) of the Telecommunications Act of 1996.

SEC. 108. RESULT OF LOSS OF NETWORK SERVICE.

Until the Federal Communications Commission issues regulations under section 712(b)(2) of the Communications Act of 1934, if a subscriber's network service is terminated as a result of the provisions of section 119 of title 17, United States Code, the satellite carrier shall, upon the request of the subscriber, provide to the subscriber free of charge an over-the-air television broadcast receiving antenna that will provide the subscriber with an over-the-air signal of Grade B intensity for those network stations that were terminated as a result of such section 119.

SEC. 109. INTERIM PROVISIONS.

Until the Federal Communications Commission issues and implements regulations under section 712(b)(2) of the Communications Act of 1934, no subscriber whose household is located outside the Grade A contour of a network station shall have his or her satellite service of another network station affiliated with that same network terminated as a result of the provisions of section 119 of title 17, United States Code.

TITLE II—SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS WITHIN LOCAL MARKETS

SEC. 201. SHORT TITLE.

This title may be cited as the “Satellite Copyright Compulsory License Improvement Act”.

SEC. 202. LIMITATIONS ON EXCLUSIVE RIGHTS; SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS WITHIN LOCAL MARKETS.

(a) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended by adding after section 121 the following new section:

“§ 122. Limitations on exclusive rights; secondary transmissions by satellite carriers within local markets

“(a) SECONDARY TRANSMISSIONS OF TELEVISION BROADCAST STATIONS BY SATELLITE CARRIERS.—A secondary transmission of a primary transmission of a television broadcast station into the station's local market shall be subject to statutory licensing under this section if—

“(1) the secondary transmission is made by a satellite carrier to the public;

“(2) the satellite carrier is in compliance with the rules, regulations, or authorizations of the Federal Communications Commission governing the carriage of television broadcast station signals; and

“(3) the satellite carrier makes a direct or indirect charge for the secondary transmission to—

“(A) each subscriber receiving the secondary transmission; or

“(B) a distributor that has contracted with the satellite carrier for direct or indirect delivery of the secondary transmission to the public.

“(b) REPORTING REQUIREMENTS.—

“(1) INITIAL LISTS.—A satellite carrier that makes secondary transmissions of a primary transmission made by a network station under subsection (a) shall, within 90 days after commencing such secondary transmissions, submit to the network that owns or is affiliated with the network station a list identifying (by name in alphabetical order and street address, including county and zip code) all subscribers to which the satellite carrier currently makes secondary transmissions of that primary transmission pursuant to this section.

“(2) SUBSEQUENT LISTS.—After the list is submitted under paragraph (1), the satellite carrier shall, on the 15th of each month, submit to the network a list identifying (by name in alphabetical order and street address, including county and zip code) any subscribers who have been added or dropped as subscribers since the last submission under this subsection.

“(3) USE OF SUBSCRIBER INFORMATION.—Subscriber information submitted by a satellite carrier under this subsection may be used only for the purposes of monitoring compliance by the satellite carrier with this section.

“(4) REQUIREMENTS OF STATIONS.—The submission requirements of this subsection shall apply to a satellite carrier only if the network to which the submissions are to be made places on file with the Register of Copyrights a document identifying the name and address of the person to whom such submissions are to be made. The Register shall maintain for public inspection a file of all such documents.

“(c) NO ROYALTY FEE REQUIRED.—A satellite carrier whose secondary transmissions are subject to statutory licensing under subsection (a) shall have no royalty obligation for such secondary transmissions.

“(d) NONCOMPLIANCE WITH REPORTING AND REGULATORY REQUIREMENTS.—Notwithstanding subsection (a), the willful or repeated secondary transmission to the public by a satellite carrier into the local market of a television broadcast station of a primary transmission made by that television broadcast station and embodying a performance or display of a work is actionable as an act of infringement under section 501, and is fully subject to the remedies provided under sections 502 through 506 and 509, if the satellite carrier has not complied with the reporting requirements of subsection (b) or with the rules, regulations, and authorizations of the Federal Communications Commission concerning the carriage of television broadcast signals.

“(e) WILLFUL ALTERATIONS.—Notwithstanding subsection (a), the secondary transmission to the public by a satellite carrier into the local market of a television broadcast station of a primary transmission made by that television broadcast station and embodying a performance or display of a work is actionable as an act of infringement under section 501, and is fully subject to the remedies provided by sections 502 through 506 and sections 509 and 510, if the content of the particular program in which the performance or display is embodied, or any commercial advertising or station announcement transmitted by the primary transmitter during, or immediately before or after, the transmission of such program, is in any way willfully altered by the satellite carrier through changes, deletions, or additions, or is combined with programming from any other broadcast signal.

“(f) VIOLATION OF TERRITORIAL RESTRICTIONS ON STATUTORY LICENSE FOR TELEVISION BROADCAST STATIONS.—

“(1) INDIVIDUAL VIOLATIONS.—The willful or repeated secondary transmission to the public by a satellite carrier of a primary trans-

mission made by a television broadcast station and embodying a performance or display of a work to a subscriber who does not reside in that station's local market, and is not subject to statutory licensing under section 119, or a private licensing agreement, is actionable as an act of infringement under section 501 and is fully subject to the remedies provided by sections 502 through 506 and 509, except that—

“(A) no damages shall be awarded for such act of infringement if the satellite carrier took corrective action by promptly withdrawing service from the ineligible subscriber; and

“(B) any statutory damages shall not exceed \$5 for such subscriber for each month during which the violation occurred.

“(2) PATTERN OF VIOLATIONS.—If a satellite carrier engages in a willful or repeated pattern or practice of secondarily transmitting to the public a primary transmission made by a television broadcast station and embodying a performance or display of a work to subscribers who do not reside in that station's local market, and are not subject to statutory licensing under section 119, then in addition to the remedies under paragraph (1)—

“(A) if the pattern or practice has been carried out on a substantially nationwide basis, the court shall order a permanent injunction barring the secondary transmission by the satellite carrier of the primary transmissions of that television broadcast station (and if such television broadcast station is a network station, all other television broadcast stations affiliated with such network), and the court may order statutory damages not exceeding \$250,000 for each 6-month period during which the pattern or practice was carried out; and

“(B) if the pattern or practice has been carried out on a local or regional basis with respect to more than one television broadcast station (and if such television broadcast station is a network station, all other television broadcast stations affiliated with such network), the court shall order a permanent injunction barring the secondary transmission in that locality or region by the satellite carrier of the primary transmissions of any television broadcast station, and the court may order statutory damages not exceeding \$250,000 for each 6-month period during which the pattern or practice was carried out.

“(g) BURDEN OF PROOF.—In any action brought under subsection (d), (e), or (f), the satellite carrier shall have the burden of proving that its secondary transmission of a primary transmission by a television broadcast station is made only to subscribers located within that station's local market or subscribers being served in compliance with section 119.

“(h) GEOGRAPHIC LIMITATIONS ON SECONDARY TRANSMISSIONS.—The statutory license created by this section shall apply to secondary transmissions to locations in the United States, and any commonwealth, territory, or possession of the United States.

“(i) EXCLUSIVITY WITH RESPECT TO SECONDARY TRANSMISSIONS OF BROADCAST STATIONS BY SATELLITE TO MEMBERS OF THE PUBLIC.—No provision of section 111 or any other law (other than this section and section 119) shall be construed to contain any authorization, exemption, or license through which secondary transmissions by satellite carriers of programming contained in a primary transmission made by a television broadcast station may be made without obtaining the consent of the copyright owner.

“(j) DEFINITIONS.—In this section—

“(1) DISTRIBUTOR.—The term ‘distributor’ means an entity which contracts to distribute secondary transmissions from a sat-

ellite carrier and, either as a single channel or in a package with other programming, provides the secondary transmission either directly to individual subscribers or indirectly through other program distribution entities.

“(2) LOCAL MARKET.—The ‘local market’ of a television broadcast station has the meaning given that term under section 3 of the Communications Act of 1934.

“(3) NETWORK STATION; SATELLITE CARRIER; SECONDARY TRANSMISSION.—The terms ‘network station’, ‘satellite carrier’ and ‘secondary transmission’ have the meanings given such terms under section 119(d).

“(4) SUBSCRIBER.—The term ‘subscriber’ means a person that receives a secondary transmission service by means of a secondary transmission from a satellite and pays a fee for the service, directly or indirectly, to the satellite carrier or to a distributor.

“(5) TELEVISION BROADCAST STATION.—The term ‘television broadcast station’ means an over-the-air, commercial or noncommercial television broadcast station licensed by the Federal Communications Commission under subpart E of part 73 of title 47, Code of Federal Regulations.”.

(b) INFRINGEMENT OF COPYRIGHT.—Section 501 of title 17, United States Code, is amended by adding at the end the following new subsection:

“(f) With respect to any secondary transmission that is made by a satellite carrier of a primary transmission embodying the performance or display of a work and is actionable as an act of infringement under section 122, a television broadcast station holding a copyright or other license to transmit or perform the same version of that work shall, for purposes of subsection (b) of this section, be treated as a legal or beneficial owner if such secondary transmission occurs within the local market of that station.”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 1 of title 17, United States Code, is amended by adding after the item relating to section 121 the following:

“122. Limitations on exclusive rights; secondary transmissions by satellite carriers within local market.”.

SEC. 203. EXTENSION OF EFFECT OF AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.

Section 4(a) of the Satellite Home Viewer Act of 1994 (17 U.S.C. 119 note; Public Law 103-369; 108 Stat. 3481) is amended by striking “December 31, 1999” and inserting “December 31, 2004”.

SEC. 204. COMPUTATION OF ROYALTY FEES FOR SATELLITE CARRIERS.

Section 119(c) of title 17, United States Code, is amended by adding at the end the following new paragraph:

“(4) REDUCTION.—

“(A) SUPERSTATION.—The rate of the royalty fee in effect on January 1, 1998, payable in each case under subsection (b)(1)(B)(i) shall be reduced by 30 percent.

“(B) NETWORK.—The rate of the royalty fee in effect on January 1, 1998, payable under subsection (b)(1)(B)(ii) shall be reduced by 45 percent.

“(5) PUBLIC BROADCASTING SERVICE AS AGENT.—For purposes of section 802, with respect to royalty fees paid by satellite carriers for retransmitting the Public Broadcasting Service satellite feed, the Public Broadcasting Service shall be the agent for all public television copyright claimants and all Public Broadcasting Service member stations.”.

SEC. 205. PUBLIC BROADCASTING SERVICE SATELLITE FEED; DEFINITIONS.

(a) SECONDARY TRANSMISSIONS.—Section 119(a)(1) of title 17, United States Code, is amended—

(1) by striking the paragraph heading and inserting “(1) SUPERSTATIONS AND PBS SATELLITE FEED.—”;

(2) by inserting “or by the Public Broadcasting Service satellite feed” after “superstation”; and

(3) by adding at the end the following: “In the case of the Public Broadcasting Service satellite feed, subsequent to—

“(A) the date when a majority of subscribers to satellite carriers are able to receive the signal of at least one noncommercial educational television broadcast station from their satellite carrier within such stations’ local market, or

“(B) 2 years after the effective date of the Satellite Copyright Compulsory License Improvement Act,

whichever is earlier, the statutory license created by this section shall be conditioned on certification of support pursuant to section 396(n) of the Communications Act of 1934.”.

(b) DEFINITIONS.—Section 119(d) of title 17, United States Code, is amended by adding at the end the following:

“(12) PUBLIC BROADCASTING SERVICE SATELLITE FEED.—The term ‘Public Broadcasting Service satellite feed’ means the national satellite feed distributed by the Public Broadcasting Service consisting of educational and informational programming intended for private home viewing, to which the Public Broadcasting Service holds national terrestrial broadcast rights.

“(13) LOCAL MARKET.—The term ‘local market’ has the meaning given that term in section 122(j)(2).

“(14) TELEVISION BROADCAST STATION.—The term ‘television broadcast station’ has the meaning given that term in section 122(j)(5).”.

SEC. 206. DISTANT SIGNAL RETRANSMISSIONS.

Section 119 of title 17, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “(6)” and inserting “(5)”;

(B) in paragraph (2)—

(i) by striking

“(2) NETWORK STATIONS.—

“(A) IN GENERAL.—Subject to the provisions of subparagraphs (B) and (C) of this paragraph and paragraphs (3), (4), (5), and (6)” and inserting

“(2) NETWORK STATIONS.—

“(A) IN GENERAL.—Subject to the provisions of subparagraph (B) of this paragraph and paragraphs (3), (4), and (5)”;

(ii) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B);

(C) in paragraph (3), by striking “(2)(C)” and inserting “(2)(B)”;

(D) by striking paragraphs (5), (8), (9), and (10) and redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively; and

(2) in subsection (d), by striking paragraphs (10) and (11).

SEC. 207. APPLICATION OF FEDERAL COMMUNICATIONS COMMISSION REGULATIONS.

Section 119(a) of title 17, United States Code, is amended—

(1) in paragraph (1), by inserting “the satellite carrier is in compliance with the rules, regulations, or authorizations of the Federal Communications Commission governing the carriage of television broadcast station signals,” after “satellite carrier to the public for private home viewing,”;

(2) in paragraph (2), by inserting “the satellite carrier is in compliance with the rules, regulations, or authorizations of the Federal Communications Commission governing the carriage of television broadcast station signals,” after “satellite carrier to the public for private home viewing,”; and

(3) by adding at the end the following new paragraph:

“(10) STATUTORY LICENSE CONTINGENT ON COMPLIANCE WITH FCC RULES AND REMEDIAL STEPS.—Notwithstanding any other provision of this section, the willful or repeated secondary transmission to the public by a satellite carrier of a primary transmission made by a broadcast station licensed by the Federal Communications Commission is actionable as an act of infringement under section 501, and is fully subject to the remedies provided by sections 502 through 506 and 509, if, at the time of such transmission, the satellite carrier is not in compliance with the rules, regulations, and authorizations of the Federal Communications Commission concerning the carriage of television broadcast station signals.”.

SEC. 208. STUDY ON TECHNICAL AND ECONOMIC IMPACT OF MUST-CARRY ON DELIVERY OF LOCAL SIGNALS.

Not later than July 1, 2000, the Register of Copyrights and the Assistant Secretary of Commerce for Communications and Information shall submit to the Congress a joint report that sets forth in detail their findings and conclusions with respect to the following:

(1) The availability of local television broadcast signals in small and rural markets as part of a service that competes with, or supplements, video programming containing copyrighted material delivered by satellite carriers or cable operators.

(2) The technical feasibility of imposing the requirements of section 338 of the Communications Act of 1934 on satellite carriers that deliver local broadcast station signals containing copyrighted material pursuant to section 122 of title 17, United States Code, and the technical and economic impact of section 338 of the Communications Act of 1934 on the ability of satellite carriers to serve multiple television markets with retransmission of local television broadcast stations, with particular consideration given to the ability to serve television markets other than the 100 largest television markets in the United States (as determined by the Nielson Media Research and published in the DMA market and Demographic Report).

(3) The technological capability of dual satellite dish technology to receive effectively over-the-air broadcast transmissions containing copyrighted material from the local market, the availability of such capability in small and rural markets, and the affordability of such capability.

(4) The technological capability (including interference), availability, and affordability of wireless cable (or terrestrial wireless) delivery of local broadcast station signals containing copyrighted material pursuant to section 111 of title 17, United States Code, including the feasibility and desirability of the expedited licensing of such competitive wireless technologies for rural and small markets.

(5) The technological capability, availability, and affordability of a broadcast-only basic tier of cable service.

SEC. 209. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on July 1, 1999, except that section 208 and the amendments made by section 205 shall take effect on the date of the enactment of this Act.

Mr. ARMEY. Mr. Speaker, both the Committee on Commerce and the Com-

mittee on the Judiciary have shared jurisdiction over H.R. 1554, the Satellite Copyright, Competition, and Consumer Protection Act. I would like to commend both committees for their fine work that they did in crafting this important consumer protection measure.

I especially want to commend the committee and subcommittee chairmen who worked out this compromise, the gentleman from Virginia (Chairman BLILEY) and the gentleman from Illinois (Chairman HYDE), and subcommittee chairmen, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from North Carolina (Mr. COBLE).

Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina (Mr. COBLE) and the gentleman from Louisiana (Mr. TAUZIN) each control 10 minutes of debate on this motion, and I further ask unanimous consent that the gentleman from California (Mr. BERMAN) and the gentleman from Massachusetts (Mr. MARKEY) control 10 minutes each on this motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to the order of the House, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Louisiana (Mr. TAUZIN) each will control 10 minutes for the majority, and the gentleman from California (Mr. BERMAN) and the gentleman from Massachusetts (Mr. MARKEY) each will control 10 minutes for the minority.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, oftentimes we come to the Floor of the House of Representatives and discuss legislation whose impact on our constituents is somewhat nebulous and uncertain. Today is not one of those days. H.R. 1554, the Satellite Copyright, Competition, and Consumer Protection Act of 1999, will have a beneficial effect on the citizens of this country, whether they are subscribers to satellite television or not.

We have all been concerned about the lack of competition in the multi-channel television industry and what that means in terms of prices and services to our constituents. I have received numerous letters and calls from my constituents distressed over their satellite service.

Many customers leave the store complaining that they cannot obtain their local stations through satellite service. Others feel betrayed when they have their distant network service cut off, having been sold an illegal package from the outset. Still others may have been outraged at the cost they pay for the distant network signals.

The time has come to address these concerns and pass legislation which makes the satellite industry more competitive with cable television. With

competition comes better services at lower prices, which makes our constituents the real winners.

With this competition in mind, the legislation before us makes the following changes to the Satellite Home Viewers Act. It reauthorizes the satellite copyright compulsory license for 5 years. It allows new satellite customers who have received a network signal from a cable system within the past 3 months to sign up immediately for satellite services for those signals. This is not allowed today.

It provides a discount for the copyright fees paid by the satellite carriers. It allows satellite carriers to retransmit a local television station to households within that station's local market, just like cable does. It allows satellite carriers to rebroadcast a national signal of the Public Broadcasting Service.

Finally, it empowers the FCC to conduct a rulemaking to determine appropriate standards for satellite carriers concerning retransmission consent, network nonduplication, syndicated exclusivity, and sports blackouts.

The manager's amendment makes one correction to the introduced version of the bill. Language in section 206 of the bill addressing distant signal transmission has been omitted to reflect the clear removal of the unserved household definition in title 17, in favor of the network nonduplication provisions in title 47.

Additionally, I also want to thank the gentleman from Virginia (Chairman BLILEY) for his assurance that he will work with us to assure a provision concerning the linking of the section 122 license to the must-carry provisions of the bill when it is adopted in conference.

The legislation before us today is a balanced approach. We have spent the better part of 3 years working with representatives of the broadcast, copyright, satellite, and cable industries fashioning legislation which is ultimately best for our constituents.

The legislation before us today is not perfect, not unlike most pieces of legislation, but it is a carefully balanced compromise. It removes many of the obstacles standing in the way of true competition, yet does not reward those in the satellite industry for their obvious illegal activities concerning distant network signals. The real winners, therefore, are our constituents.

I want to thank the chairman of the Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE), the ranking member, the gentleman from Michigan (Mr. CONYERS), as well as the subcommittee ranking member, the gentleman from California (Mr. BERMAN) for their support and leadership throughout this process.

I also want to recognize the contributions of the leadership of the gentleman from Virginia (Chairman BLILEY); the ranking member, the gentleman from Michigan (Mr. DINGELL); the subcommittee chairman, the gen-

tleman from Louisiana (Mr. TAUZIN); and the ranking member, the gentleman from Massachusetts (Mr. MARKEY), who worked with us tirelessly to bring this to the Floor. I urge all Members to support this constituent-friendly legislation.

Mr. Speaker, much has been said about the rivalry between the House Committee on the Judiciary and the Committee on Commerce. It is a healthy rivalry, nurtured by jurisdiction.

Some accuse those of us on the Committee on the Judiciary of overly protecting and promoting good legislative issues relating to copyright, while others accuse those on the Committee on Commerce of overly protecting and promoting good legislative issues as it relates to telecommunications.

To these charges I respond, probably guilty as charged. Jurisdiction should be warmly embraced by the appropriate committees. Jurisdiction, conversely, should not be casually discarded by these same committees.

The jurisdictional issues do give rise to rivalry from time to time. Rivalry on occasion may be the bad news. The good news is this first legislative step that we are taking today, to the ultimately benefit of hundreds of thousands of our constituents.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1554, a bill to make substantial and important amendments to the Copyright Act and minor and tangential amendments to the Telecommunications Act. This bill before us today will afford more American consumers the opportunity to view copyrighted programming, a laudable goal that I heartily embrace.

At the same time that I endorse the competitive parity that we seek to achieve in this legislation between the satellite and cable industries, it is certainly the case that this bill does so at the expense of certain principles.

First, I have made no secret in the past of my distaste for compulsory licenses, yet this bill extends the satellite compulsory license for another 5 years.

On a related point, I strongly supported the approach in the 1994 Satellite Home Viewer Act amendments; namely, that the royalty fees paid by satellite services for programming obtained under the satellite compulsory license should be pegged to a fair market value standard. Yet, H.R. 1554 discounts the rate set by the Copyright Arbitration Royalty Panel and upheld earlier this year by the U.S. Court of Appeals for the District of Columbia.

Having said that, I support the bill before us today because I am a realist; because I believe that, on balance, the bill goes a long way towards resolving significant competing policy objectives.

Certainly by allowing satellite carriers to transmit a local television sta-

tion to households within that station's local market, we mark major progress towards the goal of enhancing consumer choice without undermining the financial viability of local broadcasters.

This new local-to-local authority, which legally empowers the satellite carriers there to do what developing technologies now enable them to do, is probably the most important feature of this legislation. It is my hope that ultimately marketplace negotiations between broadcasters and satellite providers will serve as a mechanism for establishing the terms for delivery of that local signal.

Surely my colleagues on the other side of the aisle in particular would concur that private sector agreements are the ideal means for arriving at such terms. That is why I am particularly heartened that my colleague, the gentleman from Virginia, the distinguished chairman of the Committee on Commerce, has committed to joining us in conference to clarify that the "must carry" provision in section 103 of the bill should apply only when a satellite carrier avails itself of the satellite compulsory license.

By the same token, while it is important that multichannel video programming distributors have the opportunity to negotiate for retransmission consent, we do not in this bill subject the price or other terms and conditions of nonexclusive retransmission consent agreements to FCC scrutiny.

In the 16 years I have served on the Subcommittee on Intellectual Property, successive new members of the subcommittee have grappled with a complex web of compulsory licenses and the artificially-set royalty rates that accompany such licenses, all in the name of giving a leg up to so-called "fledgling industries".

But increasingly on the dais at subcommittee sessions I hear members asking why. I think that reaction is appropriate, and I encourage it. I urge my colleagues today to support H.R. 1554 because it provides the framework for achieving important policy objectives, and moves the legislative process forward.

But I hope in conference that we all take pains to make sure that our legislative product enhances and does not detract from the ability of the marketplace to achieve the principles of competition and consumer choice we all endorse.

I thank my colleague, the gentleman from North Carolina (Mr. COBLE) and his exemplary staff, in fact, the entire subcommittee staff, for their hard work on this bill. I look forward to working together as we move this bill to enactment.

Mr. Speaker, I reserve the balance of my time.

Mr. TAUZIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the manager's amendment to H.R. 1554. I would like to begin by commending my

counterpart on the Committee on the Judiciary, the gentleman from North Carolina (Mr. COBLE), and recognizing, indeed, that our competition and yet our cooperation has yielded today a very excellent product.

Yesterday he and I introduced H.R. 1554, the Satellite Copyright, Competition, and Consumer Protection Act, which represents the combined work of the Committee on Commerce and the Committee on the Judiciary. I want to thank all colleagues on both committees for working with us to craft a compromise, and in fact to craft such an important bill.

The bill makes substantial reforms to the telecommunications and copyright law in order to provide the American consumer with a stronger, more viable competitor to their incumbent cable operator whom we just completed the deregulatory process for this March. Cable is deregulated. It needs a competitor. This important legislation will provide cable with a real competitor.

Mr. Speaker, we saw similar important legislation on the Floor before. In 1992 my colleague and dear friend, the gentleman from Massachusetts (Mr. MARKEY) and I led the fight to the 1992 Cable Act on an issue called "program access." That fight was to make sure that we could critically jumpstart the satellite industry.

□ 1430

Many noted that the program access amendment that was adopted in that fight revolutionized the video programming industry and launched the age of satellite direct-to-home video.

Today, the reforms we are considering are no less revolutionary in impact. Consumers today are pretty savvy. They now expect, indeed demand, their video programming distributor, whether it is a satellite company or a cable company or a broadcaster or whoever it might be, that they offer video programming that is affordable with exceptional picture quality.

Today, however, satellite carriers face legal and technological limitations on their ability to do so. These same limitations put satellite carriers at a competitive disadvantage to incumbent cable operators.

Even though broadcasters are experiencing a dramatic reduction in overall audience share compared to just a few years ago, the overwhelming number of consumers still want their local programming, the local television station, to provide services to them. Consumer surveys conclude that the lack of local broadcasting programming is the number one reason why consumers are unwilling to subscribe to satellite service and, therefore, limited to a single competitor, the cable operator.

The bill today we are considering is designed to put satellite television providers on that competitive equal footing; to provide compulsory license to retransmit the local broadcast signal

in the satellite package; to make sure that retransmission consent must-carry rules apply; that nonduplication syndicated exclusivity and sports blackout protections are all included. In other words, to put satellite on equal footing with cable so consumers can have a real choice.

Mr. Speaker, this bill combines the telecom provisions of both the Save our Satellites Act and the Satellite Television Improvement Act. We, therefore, believe it is a great bill as a combination of our two committee efforts.

I want to join my colleagues in thanking the hard work of members on both committees, particularly the gentleman from Virginia (Mr. BLILEY), the chairman of the Committee on Commerce, for his excellent leadership; to the ranking member, the gentleman from Michigan (Mr. DINGELL), who has always worked so well with us; to the ranking member of the Subcommittee on Telecommunications, Trade, and Consumer Protection, my good friend, the gentleman from Massachusetts (Mr. MARKEY), who is such a good partner with me on these important issues; to the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary; to the chairman of the Subcommittee on Courts and Intellectual Property, the gentleman from North Carolina (Mr. COBLE), and to the ranking members, the gentleman from Michigan (Mr. CONYERS) and the gentleman from California (Mr. BERMAN) of the Committee on the Judiciary, for their extraordinary cooperation.

This is bipartisan, bicommittee, and we are going to solve some awfully important problems for every American in the country who enjoys video programming in this country. I am pleased to work with my colleagues on this compromise and join them in supporting this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume.

I first want to begin by invoking the litany of saints who have worked on this legislation. No easy task. Many indulgences have been earned by Members and staff alike that can be cashed in, redeemed at a later point in their life, as evidence of their good faith in working together for the betterment of the public in general.

I want to thank the chairman of the full Committee on Commerce, the gentleman from Virginia (Mr. TOM BLILEY); the chairman of the full Committee on the Judiciary, the gentleman from Illinois (Mr. HENRY HYDE); to the gentleman from Michigan (Mr. DINGELL) and the gentleman from Michigan (Mr. CONYERS), the Michigan duo, who worked together cooperatively on this project; to the gentleman from California (Mr. BERMAN) and the gentleman from Virginia (Mr. BOUCHER) and their staffs as well.

I would also like to recognize my good friend, the gentleman from Lou-

isiana (Mr. TAUZIN). As he pointed out, going back to 1992 we have tried to move the universe in a way, first, where the 18-inch dish satellite industry would be made possible. It was not before 1992, because this industry did not have access to HBO and Show Time and the other programming that is necessary to offer real competition to the incumbent cable monopolies in communities across the country.

If we want these 18-inch dish satellites to move from rural America and exurban America, the far reaches of suburban American, into suburban and urban America, so that people buy the dishes and put them out between the petunias, we have to give them the programming they want. In most of America they have already got their local TV stations. They can pick them up on their cable system but they cannot pick them up on their satellite dishes. They have to take in these national feeds of CBS, NBC, Fox.

What we do in this legislation, and I think the gentleman from Louisiana (Mr. TAUZIN) should be congratulated on this, I have worked with him closely to accomplish the goal, is we make it possible for the first time for an 18-inch dish satellite owner to get their local TV stations over their satellite dish. Consumers can pick up their local channel 4, 5, 7, 25, 38, 68, with their local sports teams over their satellite dish.

Now, this is in an effort to balance two very important issues, localism and universal service. On the one hand, we want everyone to have access to television service, and that is why we were very flexible in allowing people to pick up over their satellite dishes these national feeds. But as more and more people in the urban areas disconnected their cable system and bought a satellite dish, that meant they were disconnecting their local TV stations as well and the advertising revenues which these local TV stations need.

So here what we try to do is solve the problem using technology, which means that the local consumer can have universal access to their local TV stations using a new technology, an 18-inch satellite dish. Now, that is real progress. And the committees working together, I think, have formulated a bill which really will work for the overall betterment of consumers, giving them a competitor to their local cable system and I think forging a new revolution in technology and consumer choice in America.

Mr. Speaker, I want to congratulate all Members, and I especially want to thank my good friend, the gentleman from Louisiana, for working with me on this local-into-local issue, meaning a local TV station gets fed right back into the local market through their satellite transmitter, their satellite dish. I think it is going to cause a real revolution. I thank all involved.

Mr. Speaker, I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. STEARNS). The gentleman from North Carolina (Mr. COBLE) has 5 minutes remaining.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume to reiterate what the gentleman from California said regarding the staff. The staff has indeed done exemplary work on this, and I failed to mention that earlier.

Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I rise today in support of the legislation introduced by my good friend, the gentleman from North Carolina (Mr. COBLE). This important legislation represents a much-needed compromise that will enable thousands of folks, many of whom live in my district, to continue to receive their network signals through satellite service.

For those who can receive their network signal over the air, this compromise will ensure that they get the antenna they need to receive a quality over-the-air signal. Finally, this bill will speed the roll-out of local-into-local satellite service by requiring a joint study by the Copyright Office and the Commerce Department on how to best deliver local-into-local into rural areas.

Mr. Speaker, this legislation provides a badly needed solution to a problem that cannot be delayed any longer. I urge my colleagues to support this important compromise and keep this legislation moving to provide relief to the hardworking Americans who deserve it.

Mr. COBLE. Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. Each of the other three managers have 6 minutes remaining.

Mr. BERMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. BOUCHER), a distinguished member of the subcommittee and a member who has spent a long time working on this issue.

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, I want to express appreciation to the gentleman from California for yielding me this time. I am pleased to rise in support of the legislation and I also want to commend the bipartisan leadership of both the Committee on the Judiciary and Committee on Commerce and their staffs that have worked effectively in order to achieve this reform.

Thousands of my constituents and millions of rural residents throughout the Nation cannot receive an adequate signal from their local TV station. They typically live in mountainous regions where their receipt of a good local TV signal is effectively blocked by the obstructions between their homes and the local TV stations.

In 1988, we enacted the section 119 compulsory license that enables these

residents to receive via satellite the network signals that they cannot receive from local stations. The legislation that we are approving today extends that license and creates a better means of predicting which homes can receive adequate local television signals.

It is my hope that this new standard and this new predictive model will put to rest the controversy that has long simmered between local broadcasters on the one hand and the satellite carriers and their customers on the other over which homes are eligible to receive satellite-delivered network signals.

The bill achieves another very important objective. It authorizes the uplink of local stations and the satellite delivery of those stations back into the market of their origination. This local-into-local service will enable the satellite industry to become a more viable competitor to the cable television industry, with Americans receiving the consequent benefits of market-established rates for multi-channel video programming. This new service will also increase the ability of local broadcasters to reach all of the homes within their service territories.

I am concerned, however, that the business plans of the carriers that have announced an interest in offering the local-to-local services extend only to the largest 67 out of 211 local television markets around the country. Under this plan, most of rural America simply will not receive the benefit of this local-into-local service.

To address this concern, the bill directs the Copyright Office and the Department of Commerce to conduct an in-depth study of the availability of local television signals in rural America. A report to the Congress with findings and recommendations is directed for the year 2000, and it is my hope that this examination will lead to constructive steps that, in turn, will assure the ability of more rural residents to receive high-quality local television signals.

I commend those who have authored this measure. I was pleased to participate with them both in the Committee on Commerce and the Committee on the Judiciary as we considered it, and I strongly urge its passage by the House.

Mr. TAUZIN. Mr. Speaker, I yield 2 minutes to the gentleman from Richmond, Virginia (Mr. BLILEY), and welcome the chairman and leader of the full Committee on Commerce.

(Mr. BLILEY asked and was given permission to revise and extend his remarks.)

Mr. BLILEY. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of H.R. 1554, the Satellite Copyright, Competition and Consumer Protection Act, as amended.

This bill, as others have said, represents the hard work and collaboration of the two committees, the Com-

mittee on Commerce and the Committee on the Judiciary, and I would like to express my personal appreciation to many Members who helped in bringing this legislation to the floor, including the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Subcommittee on Telecommunications, Trade, and Consumer Protection; the gentleman from Michigan (Mr. DINGELL) the ranking member of the full Committee on Commerce; the gentleman from Massachusetts (Mr. MARKEY), the ranking member of the Subcommittee on Telecommunications, Trade, and Consumer Protection; the gentleman from Illinois (Mr. HYDE), the chairman of the Judiciary Committee; and my good friend, the gentleman from North Carolina (Mr. COBLE), the chairman of the Subcommittee on Courts and Intellectual Property.

Mr. Speaker, this is a significant bill because it will promote genuine competition in the video programming marketplace. For too long now consumers have sought competitive choices to their incumbent cable operators. Consumers today view satellite television as an effective substitute for incumbent cable system offerings. While satellite television currently delivers hundreds of channels of high resolution digital programming, consumers clearly see the lack of local broadcast programming as a reason not to subscribe. This bill will facilitate satellite-delivered local broadcast programming and, as such, shift satellite television into higher gear in its quest to compete with cable.

The timing of this legislation is particularly important because of the fact that the cable rate regulation expired on March 31 this year. I have often said that rate regulation has a sad history, given that rates continue to go up in spite of rate regulation. This is a better approach. It is a procompetitive solution to the cable's dominant market share.

Mr. Speaker, I again want to thank all of my colleagues for their steadfast support and commitment for enacting this legislation, and I urge my colleagues to support the bill.

Mr. Speaker, I would also like to suggest to my good friend, the chairman of the Subcommittee on Courts and Intellectual Property, that in the future, when we have a difference of opinion between his subcommittee and the Subcommittee on Telecommunications, Trade, and Consumer Protection, that he and I just settle it on the tennis court.

□ 1445

Mr. MARKEY. Mr. Speaker, could I inquire as to how much time I have remaining?

The SPEAKER pro tempore (Mr. STEARNS). The gentleman from Massachusetts has 6 minutes remaining.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the only reason that I seek recognition at this time is because of an unfortunate omission in my

original listing of saints that deserve credit and I just want it to be known that the honorable gentleman from North Carolina (Mr. COBLE) shall be known as "blessed HOWARD COBLE" after this proceeding because of his forbearance and understanding in this entire process.

At the end of the day, this is a very important, high-value public interest product which is in the well of the House being debated today; and it is in no small measure because of the work of the gentleman from North Carolina (Mr. COBLE), and I just wanted to recognize that publicly.

Mr. Speaker, I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would be remiss if I did not express my thanks to the gentleman from Massachusetts (Mr. MARKEY) for those generous comments. I appreciate that very much.

Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. CANNON), a member of the committee.

Mr. CANNON. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today in support of the Satellite Copyright, Competition, and Consumer Protection Act. The act is important to my constituents and the people of Utah.

A large number of my constituents cannot receive a clear television signal in their homes. Many of the rural residents of my district live in "B" grade or "White" areas and have long been isolated because of the geography of the district. They have installed home satellite dishes so they can receive news, educational, and entertainment programming that those who live in urban areas take for granted.

Unfortunately, despite available technology, many still do not have access to local network programming. This means they cannot be informed about their communities and State without installing an antenna or other additional equipment, and even then a clear signal is difficult. Rural residents should have the same convenient access to television programming as those who live in urban areas.

This bill will allow satellite broadcasters to transmit local programming to the rural residents of my district and across the country. Those living in rural areas will finally be able to receive the same broadcast service as those living in urban areas.

This bill also makes great strides toward increased competition in the television broadcast signal delivery industry. Satellite carriers should be allowed to carry the same stations and provide the same services as cable systems. Increased competition between providers will mean lower prices and improved service.

I urge my colleagues to vote in favor of H.R. 1554.

Mr. COBLE. Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL).

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I thank the distinguished gentleman from Massachusetts for yielding me the time.

Mr. Speaker, I rise in support of H.R. 1554, the Satellite Copyright, Competition, and Consumer Protection Act. This is legislation which will stimulate competition, which will make available better service at better cost to our people.

I commend my friend, the gentleman from Virginia (Mr. BLILEY), the chairman of the full committee; the distinguished gentleman from Louisiana (Mr. TAUZIN); the gentleman from Massachusetts (Mr. MARKEY), chairman of the subcommittee; our distinguished ranking member; and their capable staffs for working together in a fashion which they did to help us achieve enactment of this legislation.

Mr. Speaker, I note my good friend the gentleman from Louisiana (Mr. TAUZIN) is standing. There is an issue which requires further clarification, and I would like to engage in a colloquy with my good friend from Louisiana (Mr. TAUZIN), the chairman of the subcommittee.

Mr. TAUZIN, I understand that Title I contains telecommunications provisions in the bill. It provides that a broadcast station cannot engage in discriminatory practices which prevent multichannel video programming distributors from obtaining the station's consent to retransmit its signal. I understand that this provision is intended to prevent exclusive contracts between a broadcast station and any particular distributor. Is that correct?

Mr. TAUZIN. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Speaker, the understanding of the gentleman, as usual, is correct.

Mr. DINGELL. Mr. Speaker, reclaiming my time, I have a further question of my good friend.

Is this provision also intended to prohibit a broadcast station from negotiating different terms and conditions, including price terms, with different distributors?

Mr. TAUZIN. Mr. Speaker, if the gentleman would further yield, no. The bill goes beyond prohibiting exclusive contracts in only one respect. In order to prevent refusals by a station to deal with any particular distributor, the FCC is directed to bar not only exclusive deals but also any other discriminatory practices, understandings, arrangements and activities by the station which have the same effect of preventing any particular distributor from the opportunity to obtain a retransmission consent arrangement.

Mr. DINGELL. Mr. Speaker, a further question of my good friend.

Mr. Speaker, then is it my understanding and is it correct that a broadcast station could, for example, negotiate a cash payment from one video distributor for retransmission consent and reach an agreement with other distributors operating in the same market that contains different prices or other terms?

Mr. TAUZIN. Mr. Speaker, the understanding of the gentleman is correct. As long as a station does not refuse to deal with any particular distributor, a station's insistence on different terms and conditions in retransmission agreements based on marketplace considerations is not intended to be prohibited by this bill.

Mr. DINGELL. Mr. Speaker, one further question.

So if a station negotiates in good faith with a distributor, the failure to reach an agreement with that distributor would not constitute a discriminatory act that is intended to be barred by this section?

Mr. TAUZIN. Mr. Speaker, the gentleman is again correct.

Mr. DINGELL. Mr. Speaker, I urge enactment of the legislation.

Mr. TAUZIN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. OXLEY), vice chairman of the Subcommittee on Telecommunications, Trade, and Consumer Protection.

(Mr. OXLEY asked and was given permission to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, I rise to support this legislation and commend the gentleman from Virginia (Mr. BLILEY), the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Illinois (Mr. HYDE), the gentleman from North Carolina (Mr. COBLE), the gentleman from Massachusetts (Mr. MARKEY), and the gentleman from Michigan (Mr. DINGELL) for all their hard work in bringing this pro-competitive bill before us today.

The matter certainly is a timely one, as many of my rural constituents have difficulty with the network signals. And this legislation we are considering lowers copyright fees for distant network signals, provides for the transition to local-into-local satellite delivery of local broadcasts and contains other pro-competitive features.

I am also, Mr. Speaker, concerned that we should, now that we are passing this pro-competitive bill, make sure that consumers enjoy the benefits of competition in the market for video services. It is also vital to the development of competition that will lead the FCC to proceed with further deregulation of the cable industry by relaxing or eliminating rules that limit the number of homes that may be passed by a cable MSO.

The 1992 Cable Act's horizontal ownership limits were imposed in an era where consumers lacked the kind of choices that they have today. It is time that the FCC understand that the

world has changed and makes the appropriate changes as necessary to provide more competition and at lower cost.

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. COBLE) has 2½ minutes remaining.

Mr. COBLE. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. METCALF).

(Mr. METCALF asked and was given permission to revise and extend his remarks.)

Mr. METCALF. Mr. Speaker, in December a U.S. District Court decision in Florida caused thousands of satellite television subscribers throughout my district up in Washington State to lose network service. The Federal Communications Commission claims that those subscribers are located inside an area where they can pick up the signals of their local broadcast stations with a simple rooftop antenna and do not need the satellite service.

Not necessarily true. In Washington State we have mountains, large trees and other obstacles that can block the broadcast signals. My constituents depend on satellite service for local news, weather, and local emergency reporting. That is why I commend the sponsors today on H.R. 1554.

This bill will provide relief for satellite customers by allowing satellite companies to broadcast local stations into local markets. Further, it will direct the FCC to develop a new method for determining television signaling intensity and impose a moratorium on the planned shutoffs.

Mr. BERMAN. Mr. Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. CONYERS) ranking member of the full committee.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 3 minutes.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, I thank the gentleman from California for yielding me the time.

My colleagues, the reason we can bring a bill like this, of this complexity, under the suspension rules is because of the good work of our staffs and of our colleagues on the Committee on the Judiciary.

The gentleman from North Carolina (Mr. COBLE), the gentleman from California (Mr. BERMAN) the ranking member, and the other committee and its leadership all work together quite well. And I also want to compliment the members of the staff that did this, as well.

Obviously, there were many complexities. I am pleased that the way things have worked out. We are revising the satellite compulsory license law to allow companies to retransmit local news, weather, sports, safety announcements. In other words, local-to-local service can now be had and will allow the satellite industry, in addition, to compete with cable to get bet-

ter services, more choices and lower rates for consumers.

We also carry the famous "must carry" provision, and that will ensure that satellite companies that choose local-to-local service will give their customers all and not just some of the local channels, thereby broadening the choice consumers have in programming.

As we approach the millennium and technology permits satellite and cable companies to deliver high-quality television programming, it is important that we in Congress continue to monitor these industries and make the appropriate reforms to make the playing field level and competitive and to keep the marketplace dynamic.

I can assure my colleagues that the Committee on the Judiciary is eager to continue its responsibilities in the area.

Mr. TAUZIN. Mr. Speaker, I yield 70 seconds to the gentlewoman from Wyoming (Mrs. CUBIN) who is actually a contributor to our committee's work.

(Mrs. CUBIN asked and was given permission to revise and extend her remarks.)

Mrs. CUBIN. Mr. Speaker, as a Member who represents what is I consider the most rural district in the entire Congress, which is the whole State of Wyoming, I rise in support of H.R. 1554.

I do appreciate that the chairmen of the committees have made concessions on this rural issue. But there are, however, two measures that I think need to be addressed to make sure that adequate service is available to rural satellite viewers.

First of all, I believe that until the FCC adopts a comprehensive solution or replaces or modifies the 1950 standard for determining whether a household can receive an acceptable over-the-air picture, both DBS and C-band subscribers should be allowed to continue to receive distant network broadcast signals in lieu of the local signal.

The second issue that I am particularly interested in has to do with providing local-to-local service to rural America. Giving the satellite industry the right to retransmit local network signals into local areas will provide competition to cable systems and drive costs down for both cable and satellite service.

A significant number of constituents that I have do not have the choice between satellite and cable because the distances between homes and urban centers are not possible for cable.

So what I would like us to do is look very strongly into ensuring that we give satellite companies incentives rather than Federal mandates for providing local-to-local service.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MARKEY) has 2 minutes remaining.

Mr. MARKEY. Mr. Speaker, again, I want to thank all of the Members who have involved themselves with their

staffs in this issue, and everyone else in America who has written and called on this very important issue of their access to local television stations over their satellite.

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This is a revolution that we are unleashing in today's legislation. We are going to make it possible for the first time for people to buy an 18-inch satellite dish and get their local TV stations over the dish. They will be able to disconnect their local cable company. For the first time they will have some other place to go. It will not just be out in rural America or in the deep suburbs with big backyards. It is going to be in urban America. This is going to be in house after house. In the most densely populated parts of our country, people are going to be able now to buy satellite dishes, 18-inch dishes, and know they get their local TV stations as well. I cannot imagine a bigger moment in the history of this video revolution than what we are doing here today.

I hope that when we get done with this legislative process and the President signing the bill, that the provisions we have included here on the House side are included, because the promise of today is something that is going to revolutionize the way in which America, and urban America especially, has access to all of the video programming being produced nationally and at a local television station level across our country. Again I want to thank all of the Members.

Mr. Speaker, I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

This has been a special day. To all, I am appreciative, both on this floor and from all corners of this country. To close out, Mr. Speaker, to sum up, we are here because we are giving a break to the satellite carriers in order to help them compete. Under this bill these carriers no longer have to clear permission from copyright owners to retransmit their programming. They can retransmit without permission by availing themselves of a compulsory government license.

Normally, Mr. Speaker, I am averse to government license. But in this case to encourage competition, I endorse a limited license. In closing, I want to say that I join with the gentleman from California (Mr. BERMAN) in hoping for a return to the free market for copyright and a repeal of all these licenses in the future after competition has been assured.

Again, I thank all parties who have contributed, Mr. Speaker.

Mr. Speaker, I yield back the balance of my time.

Mr. TAUZIN. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BURR), himself a leader in the fight to get local television into satellite programming.

(Mr. BURR of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. BURR of North Carolina. Mr. Speaker, I would like to also thank my colleagues on the Committee on Commerce and the Committee on the Judiciary for bringing this legislation to the floor. My interest in DBS technology began really last August when I first introduced a local-to-local bill. It appeared to me then as it does now that once the new technologies designed to facilitate transmission of local TV signals to their local markets are up and running, satellite television will provide a swift and viable competition to cable television. This in turn will allow customers to take full advantage of the open multichannel video programming market that is being created with cable deregulation. The bill we have before us today will not only bring this much needed competition to the market but it will alleviate some of the problems satellite TV viewers are experiencing as a result of the court decisions.

In closing, Mr. Speaker, I again want to thank the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Massachusetts (Mr. MARKEY), the gentleman from California (Mr. BERMAN) and the gentleman from North Carolina (Mr. COBLE). I am truly excited about the possibilities that can happen from this piece of legislation. This is truly a piece of legislation written with the American people in mind.

Mr. TAUZIN. Mr. Speaker, I yield myself the balance of my time.

I commend the Speaker pro tempore, first of all, whom I know wanted to speak from the House floor in support of this legislation for his handling of this matter today. I again thank the gentleman from North Carolina (Mr. COBLE) for his excellent cooperation as he has always exhibited with me and the members of our subcommittee and to thank the staff. We sometimes fail to do that. I want to make sure that both the minority staff and the majority staff on both committees are highlighted today because so much of this technical work is their hard work and product. I want to thank them for it. Finally, to join the gentleman from Massachusetts (Mr. MARKEY) in his exhortation that this indeed is a revolutionary moment in video programming. I want to thank all of my colleagues for coming together to make this happen, not for the satellite or cable companies but for the consumers of America because this truly is one of the best consumer protection bills we have passed in a good long while.

Mr. PAUL. Mr. Speaker, today we are faced with an unfortunate and false choice between two evils. The false choice is whether the government should ban voluntary exchange or regulate it—as though these were the only two options. More specifically, today's choice is whether government should continue to maintain its ban on satellite provision of network programming to television consumers or replace that ban by expanding an anti-market, anti-consumer regulatory regime to the entire satellite television industry.

H.R. 1554, the Satellite Copyright, Competition, and Consumer Protection Act of 1999,

the bill before us today, repeals the strict prohibition of local network programming via satellite to local subscribers BUT in so doing is chock full of private sector mandates and bureaucracy expanding provisions. H.R. 1554, for example, requires Satellite carriers to divulge to networks lists of subscribers, expands the current arbitrary, anti-market, government royalty scheme to network broadcast programming, undermines existing contracts between cable companies and network program owners, violates freedom of contract principles, imposes anti-consumer “must-carry” regulations upon satellite service providers, creates new authority for the FCC to “re-map the country” and further empowers the National Telecommunications Information Administration (NTIA) to “study the impact” of this very legislation on rural and small TV markets.

This bill's title includes the word “competition” but ignores the market processes' inherent and fundamental cornerstones of property rights (to include intellectual property rights) and voluntary exchange unfettered by government technocrats. Instead, we have a so-called marketplace fraught with interventionism at every level. Cable companies are granted franchises of monopoly privilege at the local level. Congresses have previously intervened to invalidate exclusive dealings contracts between private parties (cable service providers and program creators), and have most recently assumed the role of price setter—determining prices at which program suppliers must make their programs available to satellite programming service providers under the “compulsory license.”

Unfortunately, this bill expands the government's role to set the so-called just price for satellite programming. This, of course, is inherently impossible outside the market process of voluntary exchange and has, not surprisingly, resulted instead in “competition” among service providers for government favor rather than consumer-benefiting competition inherent to the genuine market.

While it is within the Constitutionally enumerated powers of Congress to “promote the Progress of Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries,” operating a clearinghouse for the subsequent transfer of such property rights in the name of setting a just price or instilling competition seems not to be an economically prudent nor justifiable action under this enumerated power. This can only be achieved within the market process itself.

I introduced what I believe is the most pro-consumer, competition-friendly legislation to address the current government barrier to competition in television program provision. My bill, the Television Consumer Freedom Act, would repeal federal regulations which interfere with consumers' ability to avail themselves of desired television programming. It repeals that federal prohibition and allows satellite service providers to more freely negotiate with program owners for just the programming desired by satellite service subscribers. Technology is now available by which viewers will be able to view network programs via satellite as presented by their nearest network affiliate. This market-generated technology will remove a major stumbling block to negotiations that should currently be taking place between network program owners and satellite service providers. Additionally, rather than imposing

the burdensome and anti-consumer “must-carry” regulations on satellite service providers to “keep the playing field level,” my bill allows bona fide competition by repealing the must-carry from the already over-regulated cable industry.

Genuine competition is a market process and, in a world of scarce resources, it alone best protects the consumer. It is unfortunate that this bill ignores that option. It is also unfortunate that our only choice with H.R. 1554 is to trade one form of government intervention for another—“ban voluntarily exchange or bureaucratically regulate it?” Unfortunate, indeed.

Mr. HUTCHINSON. Mr. Speaker, I rise today in reluctant support of H.R. 1554, the “Satellite Copyright, Competition, and Consumer Protection Act.” This bill is the first step towards ensuring competition among the different telecommunications providers—including satellite, cable, and broadcasting. Under this bill, satellite companies are no longer banned from retransmitting local network signals back into local markets, providing customers with local news, sports, and entertainment.

Unfortunately, due to cost and a lack of technology, satellite companies are prevented from offering local service or spot beaming signals to all television markets. Assuming the satellite companies will move into the largest and most lucrative markets, rural areas will not benefit from this bill, and will not be able to receive their local networks via their satellite. With few options, satellite customers who live in rural areas will be forced to rely on T.V. top or giant roof top antennas to receive their local programming from the broadcast stations. Though these antennas receive quality signals for some people, I am very concerned about those individuals who live outside of a Grade “A” area or are prevented from receiving their signal for some other reason. Under this bill, this issue is partially addressed by instructing the FCC to determine whether new regulations are needed to gage signal strength. This bill also provides for a speedy review for individuals who contest that they cannot receive an adequate signal by antenna. However, while this bill does establish a moratorium on further signal shut-offs until December 31st of this year, I am concerned about the thousands of individuals in my District who are presently without broadcast television. This bill does not address their plight. While I appreciate the hard work that both the Judiciary and Commerce Committees have done, it is my hope that we can work together with the Senate to devise an equitable solution that will assist these consumer.

Mr. PACKARD. Mr. Speaker, I rise in support of H.R. 1554, the Satellite Home Viewer Act. Satellite television subscribers should have the same rights as cable subscribers when it comes to receiving network broadcast signals.

The Satellite Home Viewer Act will give satellite carriers the right to air local television broadcasts. This is very important to my district, where many citizens have to revert to purchasing a satellite dish for better reception. Without H.R. 1554, many still can't water their local news. They should be allowed to receive local television signals with a dish, just like they can with cable.

H.R. 1554 will provide a discount on copyright fees for network programming. This levels the playing field between satellite and

cable industries, in turn promoting competition and lowering the prices for consumers.

I urge my colleagues to support H.R. 1554. It is time we open up the way for true cable competition and remove anti-customer barriers. Consumers have a right to greater choice of quality television programming.

Mr. BEREUTER. Mr. Speaker, this Member rises to support H.R. 1554, the Satellite Copyright, Competition and Consumer Protection Act, but that support is accompanied by reservations.

There are many good reasons to support this bill. It provides a way for satellite companies to carry local stations in rural areas and metropolitan areas. It requires satellite companies to accept the must carry provisions. It will expedite the waiver process for customers who do not receive local signals. And, it will encourage the increased competition that is necessary for all Americans to more fully benefit from the revolution in telecommunications.

This Member has heard from many Nebraskans who are frustrated about the restrictions in the Satellite Home Viewer Act that compel satellite carriers to stop transmitting network signals to their customers. We must provide a way for residents of rural areas to receive network satellite service. At present, satellites offer the best opportunity for increased competition with cable television systems.

Unfortunately, this bill includes a provision that will further an injustice that cable customers in some of our small, rural communities are already experiencing. For years, because of the Federal Communications Commission's enforcement of syndicated exclusivity and non-duplication rules, cable customers in certain small communities located in some state border areas have not been able to watch television programs produced by stations in their own state. Their cable systems are prohibited from transmitting the news and other programming that relates to the customer's own state. This bill applies those same restrictions to satellite companies, and makes no provision or exception for those small communities near state borders that are "blackened out" of their own state's news and sports.

In 1992, when the 102nd Congress considered the Cable Television Consumer Protection and Competition Act, this Member supported an amendment introduced by the gentleman from California (Mr. DOOLITTLE) that would have provided an exception for those few, but very important, communities. That amendment was withdrawn when the then-Chairman of the Telecommunications Subcommittee agreed to revisit the issue. Now, almost seven years later, those communities have not seen relief, and we are acting on legislation that will perpetuate their problem.

We must resolve the current satellite problems and this measure is intended to do that. But, those state-border communities have yet to see their problem resolved, and this Member assures them that he is preparing a bill that addresses that problem.

Mr. EWING. Mr. Speaker, I want to express my strong support for this legislation and to say it is long overdue. I have received hundreds of calls and letters from my constituents who are irate that they have lost their CBS and FOX stations from their satellites. It amazes me that the two industries involved could not resolve this issue between themselves. Both of them provide a service to con-

sumers and they seem to have forgotten how to treat their customers.

The recent decision to remove network signals from at least 700,000 homes was poor judgment on the part of the industries involved and I believe they will suffer the anger of the many rural consumers who were victims of the battle between the broadcasters and satellite providers. No one has taken into consideration the thousands of rural households that simply cannot receive signals from their local networks with an antenna. It is not reasonable to expect rural consumers to settle for poor reception based on an arcane definition of who can and cannot receive local signals, when they are willing to pay extra for a better quality picture from their satellite provider.

That is why I believe that this legislation is a step in the right direction. The provisions that allow satellites to provide local network signals will protect local networks and allow rural consumers to receive quality signals. I am also happy to see a provision that requires the FCC to develop a new standard for determining whether a TV viewer can receive local station signals, and requires the satellite providers and broadcasters to bear the cost of on-site tests of viewer reception quality.

When I am disappointed that network signals will not be returned to the households which lost them, I do support this bill and hope that the Senate will take action similar legislation so that we can get network signals back to my constituents.

Mr. STEARNS. Mr. Speaker, I rise today in support of the Satellite Home Viewer Act. Many people deserve credit for their efforts in getting this bill to the House floor, especially my chairman in the House Telecommunications Subcommittee, Mr. TAUZIN, and the ranking Member in the Subcommittee, Mr. MARKEY.

Mr. COBLE also deserves many thanks for his work producing this bill.

As our colleagues in the House know, all of our constituents who subscribe to satellite services rightfully expect to receive their local television programming one way or another through their satellite carrier. Until today, our constituents have not had the ability to do so because satellite providers have not had the proper copyright authority to retransmit those signals.

The heart of this legislation gives the satellite provider the legal authority to carry the local television signals directly into consumers homes.

The other focus point of this legislation is how we manage the transition from today, where no consumers receive their local signals, to when they can. As our colleagues are aware, many consumers have been receiving network channels from television markets in other areas of the country because they could not receive their local signals.

Unfortunately, many if not most were receiving those signals illegally because they were within the reach of receiving an over-the-air signal from their local stations. Under current law, as was upheld in federal court, satellite customers can only receive a distant network signals if they reside outside a Grade B signal area for local markets or if they cannot receive a local signal because of topographical barriers.

But frankly, in our ever evolving high-tech world, being limited to yesterday's television technology is an anachronistic means of enter-

tainment. The average viewer expects and demands to receive the clearest television picture and audio available. Over-the-air reception does not meet those expectations. That is why this legislation is critical for Americans subscribing to satellite programming.

I have two concerns remaining with the legislation, one that is dealt with and one that will hopefully be dealt with.

The first: If satellite providers started providing local signals today to consumers, they would not be close to being able to deliver every local channel in every local market. In fact, I believe that providers with their current satellite capacity would be able to deliver all the local channels in just a small handful of markets. These providers would basically have to pick and choose which local markets to serve, which will likely result in rural consumers not being able to receive their local channels.

This legislation tries to ease this carriage burden by granting satellite carriers a transition period until January 1, 2002 to comply with must-carry rules, which requires providers to carry all local channels in markets they choose to deliver local signals.

I think must-carry is a fair burden for satellite providers because cable operators have to exist under the same conditions. My fear stems from a worry that come January 1, 2002, if these satellite providers continue to lack the capacity to serve every market in the country, they will choose to ignore the smaller and more rural television markets, such as my sixth congressional district in North Central Florida.

With the efforts of Chairman TAUZIN, this legislation includes a requirement that the Register of Copyrights and the Assistant Secretary of Commerce for Communications and Information shall conduct a study and report to Congress no later than July 1, 2000 primarily whether small and rural markets are being effectively served by their local signals.

I thank Mr. TAUZIN for including this study language and requiring them to report back to Congress by July 1 of next year, which will hopefully allow us time to make any necessary changes to aid consumers in these type of markets.

My final concern is in regard to satellite consumers who own C-Band dishes. A C-Band dish is the big satellite dishes we often see in rural areas. These were the first consumer satellite dishes on the market. Unfortunately, these dish owners are not granted a similar moratorium date that will be given to other satellite consumers to have until the end of this year before they lose their distant network signals.

There are over 70,000 C-Band owners in Florida alone and over a million nationwide. I hope as we move to Conference or before the bill returns to the House, this anomaly is corrected to allow an even moratorium for all satellite consumers.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to speak on behalf of this bill, the Satellite Copyright, Competition, and Consumer Protection Act of 1999, which redefines the role of part of our telecommunications industry.

This bill is an important one for several reasons. First, because it provides the rules and regulations that will allow satellite service providers, like Prime Star and Direct TV, to compete for television services in areas that have

until now, been traditionally dominated by cable companies.

This is because up until now, satellite service providers, unlike their land-based competitors, have not been allowed to rebroadcast local television signals. The result of this inequity has seriously undermined the ability of dish providers to provide meaningful competition to cable, notwithstanding the development of small dish-based systems that are more affordable than ever before. This inequity has only been further highlighted by cable companies, who in the spirit of American advertising, have waged a successful marketing war against satellite-based systems by point out the fact that even those customers with the finest satellite systems are still destined to be encumbered by old-fashioned "rabbit ear" antennas if they wanted to receive their regular local programming.

This bill rectifies this situation, by finally allowing satellite system providers to provide local television programming to their customers. This means that my constituents in Houston will be able to select between at least two services to satisfy their television needs—something that many of us have looked forward to for a long time. The fact that we are giving dish-providers the ability to rebroadcast local signals, however, does not come without additional responsibility. Under this bill, dish-providers will not be able to carry only those signals that stand to earn them a great deal of profit—they must also carry all of those local signals that are required of the cable companies. After all, this bill was designed in order to erase inequities, not further them.

Another mechanism in this bill that provides for an equal footing is the non-discrimination clause, which tells broadcasters that they must make their signals available for rebroadcast by cable and satellite companies. This prevents broadcasters from altering the landscape of competition in their markets by tipping the scales in favor of one side over the other by allowing them to choose whom will have the rights to rebroadcast their signals.

Having said that, although the debate on this bill, which came out of both the Commerce and Judiciary Committees, has been feverish at times, I believe we have reached an amicable situation to each of the interested parties involved. Most of all, however, I am convinced that we are addressing a topic that is vital to the comfortable living of our constituents. During debate on several of the more controversial provisions, we have received a great deal of mail from constituents, both satellite and cable customers, asking us to address this issue in earnest. I feel that with this bill, I can go back to Houston and reassure my community that relief is on the way.

I urge each of you to support this legislation, and to support meaningful competition for our constituents.

Mr. GILMAN. Mr. Speaker, I would first like to take this opportunity to thank my colleagues from the Commerce and Judiciary Committees for dedicating so much of their valuable time to this legislation.

Over the past few months I have received an overwhelming number of phone calls and letters from constituents who are outraged over the loss of their television stations. These families live in rural New York, among the peaks and valleys of the Catskill Mountains. They turned to the satellite industry to provide them with broadcast signals because cable

service was not an option. Moreover, satellite service offered them the clear, unobstructed signal they could not receive from a rooftop antenna. These hard working families do not deserve to lose the quality of the only service they have the option of enjoying.

As a cosponsor of the original legislation, I support H.R. 1554, "The Satellite Copyright, Competition, and Consumer Protection Act of 1999." I watched the development of this bill closely and I am very grateful to the Members who have worked together to bring this legislation to the floor. H.R. 1554 is more than a quick fix; by focusing on competition rather than regulation, this legislation addresses the heart and future of this market.

Each year more Americans subscribe to satellite service. However, these Americans cannot always access their local news, weather, or community stations. H.R. 1554 brings to the table the same "must carry" requirements that Congress implemented on the cable industry. Local broadcasting serves a "public good" by providing community programming and local information. If satellite service is to become an equal competitor in the broadcast market, they must be held to the same set of standards as their competition.

Moreover, this legislation addresses the discrepancies in the present "graded contour system," which fails to recognize the topography of certain regions. This system has unfairly prohibited many of my constituents from continuing to receive certain broadcast signals because of the location of their home. Thankfully, this legislation will require the FCC to review and reconstruct this outdated system and return service to the those who rely on this service.

Once again, I want to thank Chairman BILEY, Chairman HYDE, and all the members of the Commerce and Judiciary Committees for bringing this bill to the floor of the House.

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 1554.

The SPEAKER pro tempore (Mr. STEARNS). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. ARMEY) that the House suspend the rules and pass the bill, H.R. 1554, as amended.

The question was taken.

Mr. COBLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

DECLARING PORTION OF JAMES RIVER AND KANAWHA CANAL TO BE NONNAVIGABLE

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1034) to declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for

purposes of title 46, United States Code, and other maritime laws of the United States, as amended.

The Clerk read as follows:

H.R. 1034

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds the following:

(1) The canal known as the James River and Kanawha Canal played an important part in the economic development of the Commonwealth of Virginia and the city of Richmond.

(2) The canal ceased to operate as a functioning waterway in the conduct of commerce in the late 1800s.

(3) Portions of the canal have been found by a Federal district court to be nonnavigable.

(4) The restored portion of the canal will be utilized to provide entertainment and education to visitors and will play an important part in the economic development of downtown Richmond.

(5) The restored portion of the canal will not be utilized for general public boating, and will be restricted to activities similar to those conducted on similar waters in San Antonio, Texas.

(6) The continued classification of the canal as a navigable waterway based upon historic usage that ceased more than 100 years ago does not serve the public interest and is unnecessary to protect public safety.

(7) Congressional action is required to clarify that the canal is no longer to be considered a navigable waterway for purposes of subtitle II of title 46, United States Code.

SEC. 2. DECLARATION OF NONNAVIGABILITY OF A PORTION OF THE CANAL KNOWN AS THE JAMES RIVER AND KANAWHA CANAL IN RICHMOND, VIRGINIA.

(a) CANAL DECLARED NONNAVIGABLE.—The portion of the canal known as the James River and Kanawha Canal in Richmond, Virginia, located between the Great Ship Lock on the east and the limits of the city of Richmond on the west is hereby declared to be a nonnavigable waterway of the United States for purposes of subtitle II of title 46, United States Code.

(b) ENSURING PUBLIC SAFETY.—The Secretary of Transportation shall provide such technical advice, information, and assistance as the city of Richmond, Virginia, or its designee may request to insure that the vessels operating on the waters declared nonnavigable by subsection (a) are built, maintained, and operated in a manner consistent with protecting public safety.

(c) TERMINATION OF DECLARATION.—

(1) IN GENERAL.—The Secretary of Transportation may terminate the effectiveness of the declaration made by subsection (a) by publishing a determination that vessels operating on the waters declared nonnavigable by subsection (a) have not been built, maintained, and operated in a manner consistent with protecting public safety.

(2) PUBLIC INPUT.—Before making a determination under this subsection, the Secretary of Transportation shall—

(A) consult with appropriate State and local government officials regarding whether such a determination is necessary to protect public safety and will serve the public interest; and

(B) provide to persons who might be adversely affected by the determination the opportunity for comment and a hearing on whether such action is necessary to protect public safety and will serve the public interest.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Mississippi (Mr. TAYLOR) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1034, a bill to declare a portion of the historic canal system in Richmond, Virginia, to be nonnavigable for purposes of subtitle II of title 46, United States Code.

The Richmond canal system is part of a waterfront economic development project undertaken by the city of Richmond. This bill will allow the city to offer boat tours on the canal and to bring economic opportunities to downtown Richmond. The Coast Guard has reviewed the city's plans for the boat tours and has found no safety problems with the operation.

This bill reflects a bipartisan agreement worked out with the city of Richmond. It provides additional safety oversight of the Richmond Canal if that becomes necessary in the future. The gentleman from Virginia (Mr. BLILEY) is the primary author of this bill. It is through his leadership that we are here today. I certainly commend him for his tenacity in getting us to bring this legislation to the floor. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1034, a bill to designate a portion of the James River and Kanawha Canal in Richmond as nonnavigable for purposes of subtitle II of title 46, United States Code.

Mr. Speaker, this is a very non-controversial bill. Its purpose is to allow the city of Richmond to regulate safety on this small body of water instead of the United States Coast Guard. The Kanawha Canal is about 1 mile long and 23 feet wide, with an average depth of 3 feet. As part of an urban renewal project, the city is going to have small boats taking passengers up and down the canal. This legislation will allow the city of Richmond to regulate the safety of the passengers on those vessels. If the Coast Guard finds that the vessels operated on these waters are built, maintained, or operated in a manner that does not protect the public, then the United States Coast Guard can revoke the nonnavigability determination and subject all of the vessels operating on the canal to full Coast Guard inspection and licensing of personnel. Because of the Coast Guard's safety expertise, the city of Richmond has committed to consulting with the Coast Guard before allowing any material changes to the construction, maintenance or operation of these vessels.

Mr. Speaker, I believe that this bill adequately balances the desire to promote tourism in Richmond with the need to ensure the vacationing public a safe boating experience on this canal. Therefore, Mr. Speaker, I urge my colleagues to support passage of H.R. 1034.

Mr. Speaker, I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. BLILEY), the author of this legislation.

(Mr. BLILEY asked and was given permission to revise and extend his remarks.)

Mr. BLILEY. Mr. Speaker, I rise today in support of H.R. 1034, a bill I introduced with the gentleman from Virginia (Mr. SCOTT) to declare a portion of the James River and Kanawha Canal nonnavigable for purposes of subtitle II of title 46 of the U.S. Code.

The city of Richmond along with Richmond's Riverfront Management Corporation, a nonprofit group of local business and community leaders, have been working for several years to redevelop downtown Richmond. Their local historic preservation efforts will promote much needed economic development in Richmond's historic downtown and serve as a boost to tourism in Shockoe Slip and along the Richmond Canal front.

The focal point of this renaissance is a Canal Walk along the Haxall and James River and Kanawha Canals. The city of Richmond and Riverfront Management Corporation hope to operate boat rides for tourists on the canals.

Despite being filled in with dirt for 50 years, the canal was considered a navigable waterway and under Coast Guard jurisdiction because of its past use, over 100 years ago, in interstate commerce. The James River and Kanawha Canal ceased to be used for interstate commerce in the 1880s. The Haxall is already nonnavigable because it originated as a millrace.

This is not a major waterway. The canal, as the gentleman from Mississippi pointed out, averages a depth of 3 feet. At one point it is only 24 inches deep. It has a width of approximately 23 feet. It is a controlled channel with a constant water surface elevation and water velocity.

The city of Richmond sought the oversight responsibility for the James River and Kanawha Canal, and Richmond's Mayor Tim Kaine has written me and the gentleman from Virginia (Mr. SCOTT) to ensure us the city takes its obligation in protecting public safety seriously.

Mr. Speaker, I include copies of the two letters from the mayor in the RECORD at this point.

CITY OF RICHMOND,
Richmond, VA, April 13, 1999.

Hon. THOMAS J. BLILEY,
Hon. ROBERT C. SCOTT,
Rayburn House Office Building,
Washington, DC.

DEAR MESSRS. BLILEY AND SCOTT: I want to express my appreciation on behalf of the City of Richmond to you for introducing H.R. 1034 to declare the James River and Kanawha Canal non-navigable. The time and energy that you and your respective staffs have given on behalf of this important economic development project are greatly appreciated.

I am writing to address certain concerns that have been raised by members of the Committee on Transportation and Infrastructure professional staff regarding the op-

eration of canal boats on the James River & Kanawha Canal. As you know, members of your staffs and the committee visited Richmond yesterday to gain a first hand understanding of what this project entails.

The staff has expressed a desire to have a fuller understanding of the actions the City of Richmond will take after the canal is declared non-navigable to insure that boats operated on the canal are built, maintained and operated in a manner that will insure public safety. As you know, the Coast Guard has reviewed the design of the boats that will be used on this canal and found the design suitable for a passenger load of up to 40 people. The Coast Guard has also reviewed other aspects of the planned operation. As I understand it, the staff is not concerned with the operations as planned, but is seeking some assurance of how the city will address changes in operation that may be proposed at some time in the future.

It would be the city's intention to require that it receive notification from its franchisee (i.e. the Riverfront Management Corporation), of any material changes in the design or operation of canal boats on the James River & Kanawha Canal. The city would then utilize the provisions of section 2(b) of the current draft of legislation to seek advice and assistance from the Secretary of Transportation to enable the city to determine whether or not the proposed changes in operation or boat design were consistent with protecting public safety. The city would then exercise its authority under existing law to take appropriate action.

The city takes its obligation to protect public safety seriously and will make appropriate use of local, state, federal, and private sector expertise to insure that this project is operated consistent with protecting public safety. The canal redevelopment is of vital importance to the economic development of Richmond. The project is nearing completion and prompt passage of legislation is necessary.

I hope this letter will serve to clarify the manner in which the city plans to proceed once these waters are declared non-navigable.

Sincerely,

TIMOTHY M. Kaine, Mayor.

CITY OF RICHMOND,
Richmond, VA, April 20, 1999.

Hon. THOMAS J. BLILEY, JR.,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN BLILEY: It was a pleasure speaking with you on Monday concerning the renovation and reopening of Richmond's Historic Canal System. We certainly appreciate your efforts to assist us with the Coast Guard regulation of the canal.

As we discussed, I will introduce an ordinance on Monday, April 26 mandating that the canal boats will carry no more than 40 passengers during operation. I expect that this ordinance will not encounter any opposition and should be passed at our meeting on May 10. Once the ordinance is passed, I will send a copy to you for appropriate distribution.

Thank you so much for assistance on this matter. We have waited a long time to reopen this historic resource and it will be a great benefit to generations of Richmonders.

Sincerely,

TIMOTHY M. Kaine, Mayor.

Mayor Kaine has also introduced an ordinance in the city council limiting the number of boat passengers to 40 in accordance with approved boat capacity by the Coast Guard. The city welcomes this responsibility and I believe

has more than demonstrated their commitment to ensuring a safe and enjoyable boat ride for Canal Walk visitors.

It should be noted this bill does not waive Federal, environmental or labor laws. It also ensures that safety regulations are in place and gives the Secretary of Transportation the authority to revoke the nonnavigable designation if the Secretary determines the tour boat concessions are not being operated in the interest of public safety.

H.R. 1034 gives the city of Richmond the freedom to continue its efforts to rejuvenate an historic part of the city, bringing renewed economic opportunity to downtown Richmond and a new historical perspective for the enjoyment of tourists and Richmonders alike.

I thank the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Virginia (Mr. SCOTT) for their efforts in working to produce a common-sense bipartisan bill. I urge its swift passage by the House.

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of the bill, H.R. 1034, which I have cosponsored with the gentleman from Virginia (Mr. BLILEY). The legislation, H.R. 1034, declares a portion of the James River and Kanawha Canal in Richmond, Virginia, between the Great Ship Lock on the east and the city limits on the west as nonnavigable waters. The bill gives jurisdiction and authority of the canal to the city of Richmond for the purpose of operating boats along the canal adjacent to downtown Richmond.

□ 1515

In the late 19th century the canal was used to transport commerce from other parts of Virginia on the James River and into the canal. The canal was eventually closed, and, as has been said, filled with dirt for many years. In 1973, a federal judge declared parts of the waterway nonnavigable. Nevertheless, due to its former use, to move commerce along the river, the Coast Guard has maintained that the canal has retained its technical classification as a navigable waterway.

Now the City of Richmond has redeveloped the area with Canal Walk, a project that will revitalize the area along the James River and Kanawha Canal. The canal, as has been stated, averages 3 feet in depth and has a width of approximately 23 feet when it opens, the city will use canal boats as a major attraction to draw tourists to the restored area of the river. The Canal Walk is expected to generate thousands of visitors who will enjoy numerous attractions and seasonal activities along the James River and Kanawha Canal, and it will play a valuable role in the revitalization of the river front.

This legislation makes clear that the City of Richmond may operate the boats on the canal with a number of accepted requirements and standards that will satisfy public safety concerns of Federal, State and local regulators. I would like to thank the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Mississippi (Mr. TAYLOR) for working in cooperation with the gentleman from Virginia (Mr. BLILEY) and myself in such an expeditious and bipartisan manner. H.R. 1034 has gained the unanimous support of the House Committee on Transportation, and I urge its acceptance by the House.

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), the ranking minority member of the committee.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding this time to me. I, too, rise in support of H.R. 1034.

Mr. Speaker, I had concerns originally about this legislation as introduced, but those concerns have been addressed by an amendment offered by the gentleman from Pennsylvania (Mr. SHUSTER) during committee consideration of the bill. My primary concern was that the purpose of the introduced bill was to exempt vessels that would be operating on this stretch of the canal from all Coast Guard safety laws. Now these vessels would be transporting up to 35 passengers up and down the canal for admittedly a very limited distance, but those passengers would include small children, elderly persons, people in wheelchairs.

I was concerned also that the bill would exempt vessels from all other maritime laws of the United States, including the Jones Act and marine pollution laws, from my standpoint, a very unwelcomed precedent. In ordinary conduct of business the public has a right to expect that vessels they board will be safe, that is laws of the United States under which vessels operate will protect them.

Mr. Speaker, the primary purpose of these vessels is to serve the cause of tourism, and I am a very strong supporter of tourism. I chaired the Congressional Travel and Tourism Caucus for several years and advocated tourism. I want to see developments of this kind take place. This is a very ambitious, a very attractive waterfront development in the City of Richmond, which indeed started under the aegis of the gentleman from Virginia (Mr. BLILEY) when he was mayor there.

So I met with the gentleman from Virginia, and I expressed to him my concerns about the rather overly broad sweep of the language and was satisfied that the consequences of that language were not intended by any means by the gentleman from Virginia, nor the other gentleman from Virginia (Mr. SCOTT)

who was the principle co-author of this legislation, and after rather extensive discussion, we came to a very clear meeting of the minds, that adjustments should be made. The gentleman went back to his City of Richmond, talked with the mayor and city council and came back with a narrowing of the scope of the bill so that the designation as nonnavigable applies to a very much smaller and narrower set of Coast Guard laws.

Second, the language provides for the Coast Guard to revoke the designation and make the vessels operating on the canal subject to safety regulations if the vessels are not built, maintained and operated in a manner consistent with public safety, the City of Richmond will be primarily responsible for ensuring that the vessels are operated safely, and third, the gentleman from Virginia (Mr. BLILEY) also worked out with the City of Richmond an agreement to consult with the Coast Guard before allowing any material change in the operation of the vessels on the canal. So the city is the primary line of defense and responsibility for public safety and common wield.

The Mayor of Richmond, in fourth place, has agreed to introduce a city ordinance restricting the carrying capacity of these vessels to 40 people, the maximum allowed under Coast Guard guidelines and recommendations.

Mr. Speaker, I think these four changes make this a very acceptable bill. I know it took a good deal of effort on the part of both the principle author and the co-author of the legislation to make these adjustments, but they are in the best public interest, and I appreciate their cooperation. I think the public will appreciate their concern and action on behalf of safety, and certainly we should all rest assured that the traveling public will have a very safe medium in which to enjoy the pleasures and the extraordinary history of this beautiful City of Richmond.

Mr. TAYLOR of Mississippi. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 1034, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1034, as amended, the bill just passed.

The SPEAKER pro tempore (Mr. STEARNS). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

EXPRESSING THE SENSE OF THE CONGRESS WITH RESPECT TO THE TRAGIC SHOOTING AT COLUMBINE HIGH SCHOOL IN LITTLETON, COLORADO

Mr. TANCREDO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H.Con.Res. 92) expressing the sense of Congress with respect to the tragic shooting at Columbine High School in Littleton, Colorado.

The Clerk read as follows:

H. CON. RES. 92

Whereas on April 20, 1999, two armed gunmen opened fire at Columbine High School in Littleton, Colorado, killing 12 students and 1 teacher and wounding more than 20 others; and

Whereas local, State, and Federal law enforcement personnel performed their duties admirably and risked their lives for the safety of the students, faculty, and staff at Columbine High School: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) condemns, in the strongest possible terms, the heinous atrocities which occurred at Columbine High School in Littleton, Colorado;

(2) offers its condolences to the families, friends, and loved ones of those who were killed at Columbine High School and expresses its hope for the rapid and complete recovery of those wounded in the shooting;

(3) applauds the hard work and dedication exhibited by the hundreds of local, State, and Federal law enforcement officials and the others who offered their support and assistance; and

(4) encourages the American people to engage in a national dialogue on preventing school violence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TANCREDO) and the gentlewoman from New York (Mrs. MCCARTHY) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the veneer that separates civilization from barbarism, that separates good from evil, is very thin, and it appears everywhere to be wearing thinner. Last week it wore through in my hometown, and the evil seeped out and stole the lives of 12 innocent children and one valiant teacher at Columbine High School. Mr. Speaker, yesterday my son Ray gave me something he had written in response to this tragedy. I believe it is not just fatherly pride that compels me to read parts of

it here today. I believe he eloquently captures the nature of the cultural abrasives that ever so relentlessly eat away at our national soul, and I would like to cite just a part of it:

"Do you believe in God?" "Yes, I believe in God."

"Seventeen year old Cassie Bernal's life ended with that answer. Our answers to the Columbine High School murders begin with the same question, and our answer must be the same as Cassie Bernal or the nihilistic fury unleashed by those two young murderers will surely prevail."

People search for meaning in these brutal senseless acts. People question the norms of a society in which monstrous violence can be countenanced. People question the righteousness, even the existence of a God who can allow such pain and violence into the world. These are valid, but unanswerable questions.

We can speculate and hypothesize, we can blame and vent, but in the end we know we cannot fathom the meaning of this event or presume to comprehend this evil. Nevertheless, our choice is stark: Do we believe in God or not? An answer to that question is the whole of what we take away from the Columbine massacre, for the answer means everything.

We either coast in the cultural currents of a facile nihilism, or we embrace God on our knees and pray for His grace and forgiveness. Nihilism or God, that is the choice. The comfortable in-between is now gone.

In reporting on Adolph Eichmann's 1960 trial in Jerusalem, philosopher Hannah Arendt noted the banality of evil; that is, how small, petty and unoriginal evil appears. She was speaking of Eichmann, a trivial bureaucrat who efficiently and systematically undertook the murdering of the Jewish people in Europe. Likewise here, evil's banality is made plain to us. Two disaffected punks have changed life in my hometown forever.

In the end my conclusions are unsatisfying and incomplete: sin is real, evil is real. The inscrutable evil of these men made perfect sense from within their world. If I do not believe, if we do not believe, then their nihilism is right, and even if we ourselves do not embrace it, we have no means to stop others from doing so.

Pray the Lord's mercy on us.

Stopping it is one thing, but where and how did it start? The comfortable, prosperous suburbs of Denver, Colorado should not foster such dark realities. Moreover, high schools have always had this same group of disaffected bright kids, who flirted with the darker regions of the culture. What changed for the diabolical fantasies of murder to be made real? No doubt a confluence of factors coalesced to make these young men's revenge fantasies turn into reality. I offer some comments on three factors in particular: the culture, technology and institutions.

THE CULTURE

Ours is a culture wrapped in cotton candy nihilism. Poses and attitudes of nihilism are

struck and celebrated. The academy has its au courant ideologies. Feminism, postmodernism, structuralism, scientific materialism all presuppose a purposeless universe without any transcendent order where society is predicted on power and violence. Entertainment has its explicit nihilistic messages—the goth rock of Marilyn Manson and KMFDM—its ironically hip ones—the accomplished, but immoral, films of Quentin Tarrantino—and its implicit nihilism—Jerry Springer, or the titillation cum therapy of MTV's Loveline. Indeed, nihilism in a soft and weak form is everywhere.

Meanwhile, "adult society" complacently indulges the destruction of cultural traditions. Legal norms are in shambles—murderers and perjurers escape punishment, and civil justice has become an elaborate shakedown scheme. Rampant materialism fuels a vicious cycle of decadent consumption and unending labor. Finally, cynicism and lassitude are the "adult" responses to the widespread cultural decay.

Our culture not only whispers, but veritably screams, that anything goes. While this is the cultural undertow, the current at the surface holds up ideals that are betrayed almost immediately—democracy is in disrepair; big business alternately rentseeks of foists cultural rot onto a complacent public; and education is mind-numbingly dumbered-down and awash in psychological fads.

An idealistic (yes, idealistic) young man regarding this spectacle can easily be drawn into the depths of the undertow. It is a wrong, but facile, conclusion that all is power, and that the ideals of this country are fraudulent. Reinforce this with bombs, guns and music—and someone just might, indeed, did, snap.

TECHNOLOGY

The internet is praised for its promise and ability to connect people in ways hereto before unthinkable. The commercial and intellectual potential of the internet is a marvel. But there is a dark side to all this. An absolute majority of internet traffic is pornography. Subcultures that used to be isolated, can now connect and reinforce one another.

As I said before, the type of student that Harris and Klebold represent has always roamed the halls of American high schools. Such students endure cruelties and indignities in the remorseless culture of high school, but they do not end up killing their classmates and trying to blow up the school.

With the internet, however, instead of hanging out with a few like-minded outcasts in their parents' basement, these youths can log-on and interact with a whole underground world. These internet "communities" promote the ultimate in social atomization—a whole new self-created virtual identity. Wann-be Supermen could formerly only hear one-way communication through records and, for the semi-literate, books. Now, that communication is two way—bomb recipes can be exchanged, home pages can advertise and promote the rage, chat rooms can stiffen the resolve of would-be mad bombers.

INSTITUTIONAL

Columbine high school houses nearly 2000 students. The principal of the school has said that he didn't even know these two students; nor had he heard of the "trench coat mafia," the disaffected coterie of students to whom these men belonged.

It was easy for Eric Harris and Dylan Klebold to get lost at Columbine. They apparently did get lost, to all of our detriment.

The magnitude of 2000 student schools serves no educational purpose, but mainly an athletic one. Parents and students cannot hope to have a stake in a school of that size. In the same way that big business and big government depersonalizes, big education makes it easy for students to feel warehoused and adrift.

Who knows if a smaller school, with more particular attention would have changed these young men? It may well not have. But in this time when we talk about community, let us realize that communities start from the ground up, and are built on personal connection to a group, be it a family, a neighborhood, a church, or a school. Values are shared and friendship is shared in a real community.

Industrial-sized education does not serve community-building. Neither does an education monopoly that must meet the needs of the lowest common denominator.

CONCLUSION

Secular culture has no effective response to the nihilism of these young men, and the subculture from which they emerged. Therapy and "anger management" did not, and could not have, saved them. To the contrary, therapeutic interventions probably only further confirmed their view of our weak and feckless culture.

In reporting on Adolph Eichmann's 1960 trial in Jerusalem, philosopher Hannah Arendt noted "the banality of evil;" that is, how small, petty and unoriginal evil appears. She was speaking of Eichmann, a trivial bureaucrat who efficiently and systematically undertook murdering the Jews of Europe. Likewise here, evil's banality is made plain to us. Two disaffected punks have changed life in my hometown forever.

In the end, my conclusions are unsatisfying and incomplete; Sin is real; Evil is real. The inscrutable evil of these men made perfect sense from within their world. If I do not believe, if we do not believe, then their nihilism is right—and even if we ourselves do not embrace it, we have no means to stop others from doing so.

Pray the Lord's mercy on us.

Mr. Speaker, I reserve the balance of my time.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield myself 3 minutes.

(Mrs. MCCARTHY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MCCARTHY of New York. Mr. Speaker, first I want to thank the gentleman from Colorado (Mr. TANCREDI) for bringing this important resolution to the floor. My thoughts and my prayers go out to all the victims and their families, and certainly my admiration goes out to all the heroic men and women who offered their support and assistance during this time of crisis.

As we mourn the victims of the tragic school shooting in Littleton, Colorado, I think we all come to realize that gun violence and violence in our schools can happen everywhere. It affects all of us on a daily basis. From Pearl, Springfield, Jonesboro, Littleton, Paducah kids are using guns to harm their classmates. Each and every day throughout our towns and our communities we lose 13 young children a day. That is an entire classroom every 2 days.

Mr. Speaker, over the last several years, I have had to stand here and talk about all the shootings, and it starts to wear one down because we realize the pain that all these families are going through, we realize all the pain that the whole community will start to go through, and yet we are seeing constantly more and more and more.

We here in Congress will be doing this resolution because every single Member of this body feels the pain, but I do believe that we also have a moral obligation to try and save other families from going through what they have in Colorado.

We do not have all the solutions. They are all complex. But I do believe that we should start to think about what we can do. I hope that I can look forward to working with all of my colleagues here today to solve the problems of our young people.

□ 1530

I know families across the Nation will join together to demand that politics be taken out of this debate. We must do what we can do to deal with children and guns. Too many children, too many parents and too many families have already suffered. Enough is enough.

Mr. Speaker, I reserve the balance of my time.

Mr. TANCREDI. Mr. Speaker, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I rise today in support of House Resolution 148, offered by the distinguished gentleman from Colorado (Mr. TANCREDI), but with profound sorrow for the loss the community of Littleton has endured over the last 7 days. The horrible tragedy at Columbine High School has left an indelible mark in our hearts and heads, and I want to take this opportunity to express my deep sorrow for the students, for the families and for the friends affected by these grave acts of violence. The thoughts and prayers of every American are with the citizens of Littleton, Colorado, and the families and friends of the victims of school violence endured in other parts of the Nation.

I also offer my sympathy to the gentleman from that area who lives so close to it. I am sure he has been through a very difficult time as well.

Mr. Speaker, today I join this body in initiating a search for answers. We cannot take away the events of April 20. We cannot reclaim the lives that were taken or the hope that was lost. We cannot take away the fear that has been instilled in students, parents and teachers across the Nation, but we can search for answers, and we can take steps to make our society safer and smarter, and, in turn, less vulnerable to any reoccurrence of this tragedy.

In searching for answers, however, we must be careful to resist the temptation to pin our hopes on a quick fix. There is no easy solution and there is

no single solution. We must face the fact that we have a society-wide problem. We have to look at every aspect of how our society functions to find solutions to this violence.

We must look at the images our children are exposed to in daily life, through movies, television, music videos, video games and on the Internet. We must look at gun control and the access children have to firearms. We must look at parents and their responsibility to be involved in the lives of their children. We must look at teacher training and school counseling to ensure that school personnel can identify and deflate problematic behavior. We must look at prevention and education in the earliest years of a child's life, and we must look at accountability and reforming troubled youth.

Violence is not a simple problem that we can expect our schools to solve alone. We have a societal problem, and it will take the work of schools, families, communities and every level of government together to find ways to reach alienated children and to find ways to prevent the tragic violence that was displayed in Littleton, Colorado.

As chairman of the Subcommittee on Early Childhood, Youth, and Families of the Committee on Education and the Workforce, I am working to ensure that Congress contributes to finding solutions to school violence and to making our society safer and smarter.

Again, I want to offer my heartfelt sympathy to the families and friends of the 15 individuals who died last Tuesday at Columbine High School in Littleton, Colorado. My thoughts are with you and will remain with you as we seek to rebuild our society.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 5 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, this tragedy touches all of us deeply. My district is only three blocks from Columbine High School. I know families who have students at Columbine. They are my neighbors and they are my friends. These students are also the future of our community. So there is immeasurable sorrow in Denver, in my home State of Colorado and throughout America.

The shootings at Columbine High School transcend party lines, political boundaries and geographic barriers. Each one of us here today shares the grief and sadness shared by parents and students in Littleton.

We struggle to find the words to say. But this tragedy is beyond words; really, it is beyond experience. It leaves us shaken and numb. We try to understand it, but it is beyond understanding. The unimaginable has happened. We are left trying to comprehend the incomprehensible. Somehow we must make sense of all of this.

Many of us went to high schools like Columbine. I went to Denver South High School in the turbulent 1970's,

and Columbine is just a short drive from there. But I did not encounter executions in the library and bombs in the stairwells.

I knew students excluded by popular groups. The truth is, many Members of Congress probably would not have won popularity contests in high school. Yet what we are trying to confront today is the violent turn of our culture, the rationality behind students with guns, and the decision to use those guns on classmates and friends.

Sadly, we must conclude that this country has become more violent in the past quarter century. We are more accepting of violence. We are more tolerant of its manifestation. We have lost some of our natural anger against violence. Violence is glorified in the media, in songs, in movies, in books and on the web. We have lost some of our social cohesion, where neighborhoods are now just where we live, where cities have become impersonal places. We have received a steady diet of nihilism, cynicism and skepticism, with little understanding of how that divides us, fragments us and transforms us. Now we often hear of a murder or robbery and shrug our shoulders saying, "Oh, well, what can you expect?" But violence is not part of life. It is not inevitable. We know better, or at least we should know better. Mahatma Gandhi, Dr. Martin Luther King, Jr., Robert Kennedy, our own colleague JOHN LEWIS and others have preached the importance of nonviolence. When will we learn? When will we prize the wisdom of nonviolence over the hasty mistake of gunfire?

We must speak out against those who pedal violence to our young students. We must shine the light of truth on those who believe violence is the answer, when it is only failure. We must no longer accept violence as the way of life, when it can only end a life.

Many Americans look to this House as a barometer of our national attitudes and culture. Today, our sorrow and anger can make us more thoughtful, more dedicated and more forthright in addressing violence in this country.

I hope it will. I hope we remember how we feel right now in the days and months to come, when we have valuable opportunities to work with community leaders, clergy, educators and social workers to institute real dialogue toward nonviolent dispute resolution.

We also need to do whatever we can to eliminate the ability of young people to obtain guns. It is frightening that one-third of the high school students in this country know someone who owns a gun. A troubled youth without a gun is dangerous; a troubled youth with a gun is deadly.

Those who wish to address youth violence in this country cannot refuse to discuss limiting access to guns for kids if they truly care about solving this crisis in America.

As a member of this House, but, most importantly, as a mother and a resi-

dent of Denver and Colorado, I extend my deepest personal sympathies to the students, teachers and families at Columbine High School. Today, the country stands united in your grief. We all share in your tragedy.

Mr. TANCREDO. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Speaker, I greatly thank my colleague for yielding me time and for giving all of us this opportunity to adopt this congressional resolution and speak to it, because we must now all transform our horror and our remorse and pain and the sympathy for these families, that we sense for these families, and for those innocent children, those innocent children cut down in the springtime of a happy youth. That is what our dialogue is about today.

It is in their names, the names of these children, and in their memory, that I stand here this afternoon to plead with my colleagues for action, and that this national school dialogue should result in enforceable legislation to reduce the threats of school violence.

Yes, now is the time to address, in a loving and deeply meaningful and constructive way, to find methods to reduce the potential of these types of horrors being visited, and that they not be visited on other communities, on other innocent children, on other families.

There is a lot that we do not know about the event that led up to last week's massacre, but we do know this: Apparently the schools, the local communities and the components of the juvenile justice system did not communicate. Therefore, they were unable to apply in an informed or systematic way the things that we know about youthful behavior, namely the early warning signs of deviant and dangerous behavior, and we were unable, therefore, to use the knowledge that we have to act to get these young people and their parents into therapeutic programs that recognize and treat the trauma that causes such anger and violent attacks.

Just 11 weeks before this horrific rampage, these two young people were released from the probation system, apparently with flying colors, according to the newspapers. At the same time, these two young people were working on a complicated plot to destroy 500 lives. Indeed, the deputy sheriff assigned to the high school said last night that he did not even know the two teens had been arrested a year earlier. Evidently the school authorities did not know of the arrests. Whatever the reasons, there was a failure. There was no action taken to monitor their behavior or to communicate with the parents.

Mr. Speaker, we need to refer and develop working therapeutic support systems to deal with this kind of sickness. Mental health therapy must be an active component of our juvenile justice

system, and our schools must have the information they need to protect their students, to reach out to the parents, and give them the advice and counsel they so desperately need.

Finally, Mr. Speaker, I would simply say, we must do this with reverence in the names of those innocent children and their parents and the heroic teacher, David Sanders.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, my heart is heavy with shock and sorrow at the unspeakable violence at Columbine High School. Congress cannot pass a "magic" law to guarantee that our children are safe in their schools, but we must still act.

As a school nurse, I have repeatedly stressed the importance of school counseling, and I call on my colleagues in Congress to fully support a school coordinator initiative which will provide violence counselors in middle schools across the country. Trained counselors in our schools can and have demonstrated that they are able to spot troubled kids and help them resolve conflicts peacefully before they escalate into violence.

Sadly, Littleton, Colorado, is not the only place where young lives have been taken from us. This past week in San Luis Obispo, California, the bodies of two young women, local college students, were finally discovered and their alleged killer was finally arrested. I join the entire community of San Luis Obispo in expressing heartfelt sorrow to the families and friends of Rachel Newhouse and Aundria Crawford. Because of the heroic efforts of our local law enforcement, the painful ordeal of these families of waiting has ended.

These students in Littleton, Colorado, and San Luis Obispo, California, have died way too soon. We must now, across this country, come together in our resolve to ensure that they have not died in vain.

Mr. TANCREDO. Mr. Speaker, I yield 3½ minutes to the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Speaker, this past weekend I attended with the gentleman from Colorado (Mr. TANCREDO) the memorial service for the students and the teacher who died, and, as I looked over the sea of 70,000 grieving faces, I realized that the media has touched the utter devastation Coloradans and, indeed, most Americans feel in the wake of this brutal attack.

In shopping malls, grocery stores, public parks, churches and other venues across Colorado, people are grieving. They are moving slowly, they are talking in subdued voices, they are weeping at a moment's notice. There is unpalatable grief overwhelming the State of Colorado as we mourn the death of our children and friends and our neighbors.

□ 1545

In the days following the attack, many have tried to assign blame or to

identify a reason for the tragedy. Unfortunately, one cannot find a reason for something so senseless.

There have been calls to judgment and proposed quick-fix solutions to the problems that appear to plague some of our Nation's youth. A parade of commentators have appeared on television and radio shows, each trumpeting their own solution to ensure that such a tragedy never occurs again. There have been calls for more gun laws, stricter gun laws, armed school guards, armed teachers, school metal detectors, parental advisory boards and random student searches. While there is merit in some of these so-called solutions, I fear that we are missing the bigger picture. In fact, all of the guns and all of the bombs that were used in this brutal attack were illegal. There are already laws against them.

One commentator said these young people exercised very bad judgment. Very bad judgment? Very bad judgment is going the wrong way on an one-way street. Very bad judgment is to drink a little too much at a party, at a high school party. That is very bad judgment. These young men exercised evil. They were evil; they plotted evil, and they carried out evil, brutal acts of violence.

For over a year they methodically and systematically plotted this vicious attack, and as has already been indicated by the gentlewoman from New Jersey (Mrs. ROUKEMA), they intended a great deal more. They were going to kill at least 500 students. Then they were going to go into the neighborhoods. Then they were going to hijack an airplane and they were going to crash it into New York City. So obviously they lived in a fantasy world, an evil fantasy world during the process of that.

It is a tragic wake up call to all Americans, particularly adults, that there are children in this country who are so mentally ill and in such need of guidance that their only outlet for attention is by identifying themselves with deviant music, games, books, movies, even Adolph Hitler.

Mr. Speaker, to revere Lincoln and Martin Luther King is not the moral equivalent of revering Adolph Hitler, but unfortunately, too often in the name of tolerance we say this is okay. It should be no surprise that once a child is immersed in evil thoughts, evil actions often follow. As a society, we try to mask evil through tolerance. We tend to ignore the signs of deviant behavior because we think people have a right to engage in their corruptive activities and we must be tolerant. While people do have this right, it cannot come at the expense of others.

There are video games, movies, books, music that promote violence and corrode our society with a pervasive sense of evil, and we can no longer ignore these thoughts, activities and products in the name of tolerance. We need to call evil evil and take action against it. We cannot in our society tolerate evil.

We as a society and as adults need to pay more attention to our children. We need to reach out to our children before they reach for evil. We need to provide them with a moral framework from which they can guide their lives. Hopefully, by listening to our youth and learning who they are, we can identify those children who need help.

This is a tragedy that has deeply affected every community in my home state. My deepest condolences go to the city of Littleton, the students of Columbine High School, and especially the families of the students and teacher who were killed in last week's tragic shooting.

Yes; 13 died. Many more will never be the same. I ask for your prayers at this terrible time.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentlewoman from New York (Mrs. MCCARTHY) for yielding me this time.

Mr. Speaker, I rise in support of the resolution offered by my colleague, the gentleman from Colorado (Mr. TANCREDO), which I am sure expresses the thoughts not only of the Colorado delegation, but of the entire House.

I want to acknowledge my colleague from Colorado (Mr. TANCREDO). He and I came to this body as freshmen this year and went through our orientation as new Members together. I hold a fond memory of that experience, and am profoundly saddened that a tragedy in our home State has been the occasion for our partnership on a legislative matter.

My guess is that parents all over America hugged their children a little tighter last night, and I am sure parents will worry just a little bit more as they send their children off to school tomorrow. We cannot allow what happened at Columbine High School to dampen our hopes for the future of America's schools or our children. It must remain an aberration and not a precursor of things to come.

In addition to offering our condolences to the families, friends and loved ones of those who were killed and injured in this awful crime, I think it is important for this body to speak with a unified voice in condemning such violence. It is also crucial for this body to offer leadership to the American people by initiating a thoughtful dialogue on the problem of gun violence in our schools.

Mr. Speaker, I hope, I pray that we as a Nation will respond to this tragedy by looking beyond our prejudices and our political leanings. This tragedy challenges us to place an even greater priority on the quality of the lives we build for all of our children. I urge adoption of this resolution.

Mr. TANCREDO. Mr. Speaker, I just want to say that I sincerely appreciate the comments of my colleague, the gentleman from Colorado (Mr. UDALL).

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Speaker, I would like to thank the gentleman from Colo-

rado (Mr. TANCREDO) for sponsoring this resolution.

In the time that I have been here in Congress, the 4½ years that I have been here, I do not think I have met a gentleman with more compassion, more love or more care and concern than the gentleman from Colorado (Mr. TANCREDO) has shown me in the last few months since his election. What a sad thing it is to have to engage in this kind of a discussion on the floor at a time so short in his tenure in the House.

Words cannot express, they are completely inadequate to express, I think, the sorrow and the feelings that many of us here feel. So many of us who ran for this office did so because we wanted to come and we wanted to change the world. We wanted to be able to come and address all of the heartfelt problems of the people that we represent. We really wanted to make this a better place to live.

As so often happens when a tragedy like this occurs, we look at ourselves in the mirror through tear-stained eyes and we try to come up with answers that we can pose that will solve these problems. But they also seem so inadequate.

So I looked into the faces of my two high school students before I left, and I gave them an extra tight hug and I tried to place myself in the situation of these parents, and try as I might, I cannot. Our hearts go out to them.

Mr. Speaker, I know that all too often we try to use things like this as a way to move forward our issues. We try to use these senseless tragedies as points in a debate for gun control or for this or for that.

In fact, I was even going to try to reference some of them in a written speech that I had, and I have thrown it out because frankly I think the most important thing that we as a Nation can do right now is to pray. Pray to God Almighty that his compassion and love will be sent down on us and those families will feel his arms of mercy wrap around them. Because frankly, that is the only respite that we have. I offer my prayers and my condolences, and I hope they feel the love emanating from this body.

Mr. TANCREDO. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Speaker, my wife and I have four children who are all in different schools everyday. As we grieve for the parents of the children killed in Colorado, we also join every parent in America as we fear for the safety of our own children.

Congress must be a part of eliminating this danger, because one of the most important roles of government is to keep our citizens safe, especially our children. We must do more to protect Americans against senseless violence.

But our goal to make America safer cannot be achieved with knee-jerk solutions that are blurted out in haste every time there is a tragedy. So as we

condemn this horrible act, let us also commit as a Congress and as a Nation to seriously study and seek to understand the causes of this violence and to develop a comprehensive plan to make our children safer and more secure in their schools.

But to get the right answers, we have to ask the right questions. And I hope one of the questions will be, have we created a spiritual void in our schools which is now being filled with drugs and sex and violence? It is clear there were very deep spiritual problems in this case. Yet, we prohibit the free participation in spiritual and religious activities in our schools. The sad fact is if a teacher had recognized these troubled youths and tried to counsel them with positive, life-oriented religious principles, that this teacher could very likely lose their job or end up in court.

Let us ask the right questions. Let us commit as a Nation to make our schools safer, and we can find the right answers.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield myself 6 minutes for the purpose of engaging in a colloquy with the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Speaker, if the gentlewoman will yield, I would be more than happy to engage in a colloquy.

Mrs. MCCARTHY of New York. Mr. Speaker, and certainly to my colleague who sits on the Committee on Education and the Workforce, in the past year we have been able fortunately to have so many different committee meetings to talk about the things that have been going on in our schools, and school violence as a whole. I personally found it very educational.

There is no one answer, there is not, but I did learn a lot, as a nurse, and certainly my colleague, the gentlewoman from New Jersey (Mrs. ROUKEMA), who talks about mental health.

Mrs. ROUKEMA. Mr. Speaker, in my role as a former teacher.

Mrs. MCCARTHY of New York. Yes, as a former teacher, if the gentlewoman would talk to us about mental health.

Mrs. ROUKEMA. Mr. Speaker, if the gentlewoman will yield, this is such a wide topic for discussion, but I would like to reference the mental health aspect of this, particularly in areas where I know that even the Department of Education a few years ago tried to deal with some of these aspects of student mental health and violence in the schools. They issued, and I do not remember exactly the year, I want to say maybe it was 1992 or 1994, a department brochure called the Early Warning Program and distributed it to school systems across the country.

Mr. Speaker, an early warning program description of mental health problems that are discernible in children in school is really not enough. If the school system does not have a team, guidance counselors, administrators, teachers and mental health pro-

fessionals, maybe psychologists, maybe social workers, but with a psychiatric consultant to the school system who are able to review the early warning signs of students and some of the abnormal or violent behavior that they have displayed.

I guess another way of looking at it, in this particular case, as has been testified to by the school system and certainly the probation period, and looking at the yearbook, these students just did not turn up one day in their trench coat garb and talking the way they did; this had been a pattern for some period of time. And those are the kinds of early warning signs that teachers and really probation officers should be very conscious of and set up a system whereby they bring in, reach out to the parents in the community and work with them in a very private way to get them the advice and counsel that they might need.

□ 1600

Mrs. MCCARTHY of New York. Mr. Speaker, I think that is something that we have learned. Because when we talk about how to handle, hopefully, the violence that we are seeing in our schools, I think we have learned an awful lot on our committee.

There are a number of factors, whether it is mental health and being able to pick up the signs at an early grade, which we have found a number of times in all the school shootings there were warning signs there; certainly to work with our young children and our teenaged children also, to say if they hear something that is going on, it is all right to go to an adult, it is all right to go to your friends or your parents, let someone know.

Mrs. ROUKEMA. I do want to add something also to what the gentlewoman has referenced here. These warning signs are out there, and people should be reporting.

This is not novel or new or innovative or crusading. There are numbers of school systems all across the country, and one was featured on national television within the past week in Wisconsin, and another one I know of through the gentleman from Pennsylvania (Mr. GOODLING), who is the chairman of the Committee on Education and the Workforce, in his home State of Pennsylvania who have some very advanced programs, or not programs, systems whereby the educational and the juvenile justice system reaches out to the parents and works up a therapeutic environment for these students.

It does not mean, and by the way, I am not denying what the gentleman from Colorado (Mr. HEFLEY) said that there is evil, there is evil. But what I am saying is that so much of this is subject to therapy, if properly diagnosed and properly seen at an early age with these young people.

I think there is so much knowledge out there, it would be unfortunate if in this national dialogue that this resolution is calling for, if we did not under-

stand that this is almost central to an area of improvement that we can initiate almost immediately.

Mrs. MCCARTHY of New York. I think we do have the knowledge here in Congress. We do have a very knowledgeable body. I think the information that has come to us over the years because of the violence we are seeing in the schools is something that we can address.

I think one thing that came back and forth, also on our committee hearings, in dealing with something like this is that the whole community has to become involved. It is the church, it is the school, it is definitely the parents. The parents have to learn how to be parents. They should stand up and say, I am going to be a parent.

I see today so many young people that want to be friends and not parents, and I think that is something they have to learn. So parenting skills are needed, also. There are a lot of things that we can do, and I think we can do it.

Mrs. ROUKEMA. There are resources throughout each community that can help the parents, the schools, and the correctionS officers, and most of all, bring a bright life for those young people who need our help.

Mrs. MCCARTHY of New York. Mr. Speaker, the only thing further that I would like to say is that the majority of our schools are safe, and we have to keep them that way.

Mr. Speaker, I reserve the balance of my time.

Mr. TANCREDO. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Speaker, I appreciate the gentleman yielding time to me.

Mr. Speaker, to all of my colleagues here and to the rest of this country, I would like to say that all of us in Colorado, and on behalf of the entire State, are very gratified by the outpouring of support and prayer from throughout the country.

Our Governor addressed the country just the day before yesterday about the tragedy, and I include for the RECORD his words.

The statement referred to is as follows:

This is Governor Bill Owens of Colorado. A terrible tragedy occurred here in my home state this week. At Columbine High School in the town of Littleton, 15 people died in an outbreak of brutal and senseless violence.

I know this tragedy has shocked and moved all Americans. I know that the victims and their families have the prayers and condolences of people from across the land. And, for that, though we grieve, we are grateful.

We live in a nation that is the richest and freest on Earth—the richest and freest in history. Yet events like this one warn us there is a virus loose within our culture—and too many of our young people are susceptible to it. What happened to the two boys who committed these crimes?

Why didn't anyone see where they were heading—and do something about it? There was no shortage of signs—from the clothes

they wore, to the Internet games they played, to the "music" they preferred, to their expressed passion for Hitler, to their brushes with the law. They even made a video acting out their killing spree for a class project.

Were we perhaps afraid of being "judgmental"? Afraid that criticizing them—and correcting them—would hurt their self-esteem? These were minors with criminal records. The guns and homemade bombs they carried onto school property, they carried illegally. Yet they had broken the law before—and they had been dealt with gently.

And, perhaps the most important—and least asked question—is this: Why did these boys themselves not understand that what they were doing was wrong?

Not just wrong but evil? Or if they did understand, why did they not have enough moral sense to stop themselves—to seek the help they needed from a parent, a relative, a clergyman or a doctor?

We still have more questions than answers about what happened in Littleton on a sunny April afternoon. And the truth, I think, is that there are no easy answers—no quick solutions, much as we might wish there were.

There is no one place on which we can lay all the blame—though some people will try to do exactly that. We do need to think about these things, and talk about these things—not as politicians and partisans and members of factions, but as parents and neighbors and fellow Americans who have a responsibility to preserve what's best in our community—and improve the rest.

We do need to take a look at the sub-culture of violence, death, anarchy and incoherence that seems, in recent years, to have become so appealing to so many young people. We need to understand who and what feeds and profits from this dark subculture. And why is it that so many Americans patronize a mass media which all too often glorifies violence rather than condemns it?

We need to ask ourselves: What is lacking in all too many of our children's lives—despite the freedom and prosperity they enjoy?

And I would ask every parent in America: Do you know if your child has a homepage? Do you know what is on your child's homepage or whom they talk with on the Internet? If not, please find out. Please teach your children to discern from the good and bad on the Internet as well as on television, movies, and on video games—and if they can't—then parents should.

And how can parents, religious leaders and, yes, political leaders, too, help fill the void—the black hole in these young souls that sucks in so much anger, hatred and cruelty? I know all this will be on my mind, and yours, for a very long time to come.

I also know that this is a great country and that Colorado is a great state—and that we have met many challenges in the past and, with God's help, we will meet this challenge as well.

What the Governor said to the country and what we need to keep in mind is that such a profound tragedy as the one we have experienced in Colorado is one that needs to be considered within the context of our moral character as a Nation.

We are a Nation that seems more and more to be preoccupied with death and sex. Our children are confronted daily with the glorification of violence. The lines between tolerance and indifference have been almost erased in this country, for those of us as leaders, not just political leaders but community leaders of all sorts, through a sick evo-

lution of political correctness seem to have become timid about asserting what is right and what is wrong, and speaking out strenuously about the difference between the two.

We have been warned about such occasions. The Apostle Paul almost 1,950 years ago, in a letter to the Romans, said, "Do not be conformed to this world, but be transformed by the renewing of your minds, so that you may discern what is the will of God—what is good and acceptable and perfect."

The dignity of human life is what we need to keep in mind. This is at the heart of the tragedy that took the country last week. There are some who believe human life is expendable, that it is a matter of someone else's choice or convenience or sometimes even amusement. But this is a bedrock issue for us as a country.

We have, in fact, enshrined the value of life right into our own Declaration of Independence. That Declaration, Mr. Speaker, says this: "We are endowed by our Creator with certain unalienable rights, and among them is the right to life." We need to be rededicated to that concept by the brilliance of the lives that have been lost.

Some suggest that we need new laws. The individuals who perpetrated this crime broke about 17 of those, and I would like to enter that into the RECORD, as well.

The material referred to is as follows:
VIOLATIONS OF FEDERAL AND STATE LAWS BY
THE ALLEGED PERPETRATORS OF THE CRIME
AT COLUMBINE HIGH SCHOOL, LITTLETON,
COLORADO

Details of the explosives and firearms used by the alleged perpetrators have not been confirmed by law enforcement authorities. The crime scene is still being examined and cleared. It is unknown how the alleged perpetrators came into possession of the explosives and firearms they used.

The alleged perpetrators, obviously, committed multiple counts of murder and attempted murder, the most serious crimes of all. And they committed many violations of laws against destruction of property, such as in the school building and the cars in the parking lot outside. All told, the prison sentences possible for these multiple, serious violations amount to many hundreds of years.

Additionally, in the course of planning and committing these crimes, the alleged perpetrators committed numerous violations of very serious federal and state laws relating to explosives and firearms, and, depending on details not yet known, may have committed other such violations. Cumulatively, the prison sentences possible for these violations alone amount to many hundreds of years. A partial list of those violations follows:

1. Possession of a "destructive device" (i.e., bomb). (Multiple counts.) Prohibited under 26 U.S.C. Chapter 53. Each violation is punishable by 10 years in prison and a \$10,000 fine. Other explosives violations are under 18 U.S.C. 842.

Colorado law [18-12-109(2)] prohibits the possession of an "explosive or incendiary device." Each violation is a Class 4 felony. Colorado [18-12-109(6)] also prohibits possession of "explosive or incendiary parts," defined to include, individually, a substantial variety of components used to make explosive or incendiary devices. Each violation is a Class 4 felony.

2. Manufacturing a "destructive device" (i.e., bomb). (Multiple counts.) Prohibited under 26 U.S.C. Chapter 53. Each violation is punishable by 10 years in prison and a \$10,000 fine.

3. Use of an explosive or incendiary device in the commission of a felony. Prohibited under Colorado law [18-12-109(4)]. A class 2 felony.

4. Setting a device designed to cause an explosion upon being triggered. Violation of Colorado law. (Citation uncertain)

5. Use of a firearm or "destructive device" (i.e., bomb) to commit a murder that is prosecutable in a federal court. Enhanced penalty under 18 U.S.C. 924(i). Punishable by death or up to life in prison. A federal nexus is through 18 U.S.C. 922(q), prohibiting the discharge of a firearm, on school property, with reckless disregard for the safety of another person.

6. Use of a firearm or "destructive device" (i.e., bomb) in a crime of violence that is prosecutable in a federal court. Enhanced penalty under 18 U.S.C. 924(c). Penalty is 5 years if a firearm; 10 years if a "sawed-off" shotgun, "sawed-off" rifle or "assault weapon;" and 30 years if the weapon is a "destructive device" (bomb, etc.). Convictions subsequent to the first receive 20 years or, if the weapon is a bomb, life imprisonment. Again, a federal nexus is through 18 U.S.C. 922(q), prohibiting the discharge of a firearm, on school property, with reckless disregard for the safety of another person.

7. Conspiracy to commit a crime of violence prosecutable in federal court. Enhanced penalty under 18 U.S.C. 924(n). Penalty is 20 years if the weapon is a firearm, life imprisonment if the weapon is a bomb. Again, a federal nexus is through 18 U.S.C. 922(q), prohibiting the discharge of a firearm, on school property, with reckless disregard for the safety of another person.

8. Possession of a short-barreled shotgun or rifle. Some news accounts have suggested that the alleged perpetrators may have possessed a "sawed-off" shotgun or "sawed-off" rifle. (A shotgun or rifle less than 26" in overall length, or a shotgun with a barrel of less than 18", or a rifle with a barrel of less than 16".) A spokesman for the Jefferson County Sheriff's Office reported, possibly, at least one long gun with the stock cut off. Prohibited under 26 U.S.C. Chapter 53. A violation is punishable by 10 years in prison and a \$10,000 fine.

Colorado law [18-12-102(3)] prohibits possession of a "dangerous weapon" (defined to include sawed-off guns). First violation is a Class 5 felony; subsequent violations are Class 4 felonies.

9. Manufacturing a "sawed-off" shotgun or "sawed-off rifle. Prohibited under 26 U.S.C. Chapter 53. Each violation is punishable by 10 years in prison and a \$10,000 fine.

10. Possession of a handgun or handgun ammunition by a person under age 18: Some news accounts report one alleged perpetrator as being 17 years of age. It is yet unclear what firearms were involved in the crime. A person under age 18 is prohibited from possessing a handgun or handgun ammunition, except for legitimate target shooting, hunting, and firearms training activities, and similar legitimate reasons. [18 U.S.C. 922(x), part of the 1994 crime bill.] A violation is punishable by one year in prison.

11. Providing a handgun or handgun ammunition to a person under age 18. Prohibited under the same provision noted in #4, above. Penalty of one year, unless the provider knew the gun would be used in a crime of violence, in which case the penalty is 10 years.

12. Age restrictions on purchasing firearms. Again, the age of the second suspect and how the alleged perpetrators came into possession of firearms are unclear. However,

licensed dealers may sell rifles and shotguns only to persons age 18 or over, and handguns to persons age 21 or over. [18 U.S.C. 922(b)(1)].

13. Possession of a firearm on school property. Prohibited under 18 U.S.C. 922(q). Five year penalty. Colorado also prohibits a gun on school property. (Citation uncertain.)

14. Discharge of a firearm on school property, with a reckless disregard for another's safety. Prohibited under 18 U.S.C. 922q. Five year penalty.

15. Possession, interstate transportation, sale, etc., of a stolen firearm. Prohibited under 18 U.S.C. 922(i) and (j). A violation is punishable by 10 years.

16. Intentionally aiming a firearm at another person. Violation of Colorado law.

17. Displaying a firearm in a public place in a manner calculated to alarm, or discharging a firearm in a public place except on a lawful target practice or hunting place. Violation of Colorado law.

Let me say this on this House Floor, Mr. Speaker: There are great leaders whose sculptures are all around us. Moses looks at us from straight ahead, and delivered us the most important and profound law of all. In his eyes and through God, we needed 10: Thou shalt not kill. That is a law that we should all, Mr. Speaker, live by.

Mr. MCCARTHY of New York. Mr. Speaker, I yield the balance of my time to the gentleman from Colorado (Mr. TANCREDO).

THE SPEAKER pro tempore (Mr. STEARNS). The gentleman from Colorado (Mr. TANCREDO) is recognized for 3 minutes.

Mr. TANCREDO. Mr. Speaker, I thank my colleague, the gentlewoman from New York, for yielding time to me.

Mr. Speaker, I should say that having now lived through this horrible experience and participated in all of the events, as many as I could in Colorado, it has certainly touched my soul in a way that few other things that I have experienced in this Congress have.

Mr. Speaker, I assure my colleagues who have spoken to this point that I personally will be more than willing, I would be happy to look at any proposal, any idea anyone has to address this kind of issue, any solution. I yearn, I ache for a solution, just like anyone else in this Congress.

I fear so deeply, however, that what we can do here cannot even begin to touch or make a dent in the problem that has created Columbine High's tragedy. It is a problem that is close to home, close to home for all of us.

We must look in the mirror, every single one of us, for the real reason, for the real answer here, because we have created a culture in which a generation at least has grown up without the ability to look at life through the same sort of eyes that many other generations have, and without the ability to actually have a sense of worth, of value.

When I was younger there was a popular movie, "Easy Rider," and the characters in the movie spent the entire thing living the high life, literally and figuratively, on drugs. At the end, however, they looked up and said, we

blew it. We blew it. That was the message that not too many people got.

But I must tell the Members, I look at our generation and I look at all the things that have happened, and I look at the life we tried to live and provide for our children, thinking it was the right thing, it was a life that we decided was not worthy of restrictions, that we would not impose them on our children, that we would be pals instead of parents, and we live the high life, and we blew it. We blew it.

I think of my neighbor, whose son cradled Mr. Sanders in his arms as the last breath left his body, and he said to my neighbor's son, "Please tell my family I love them."

And I think of the scars that that child now takes with him for the rest of his life, and not just the physical scars that we know are on there from the people who are surviving in the hospitals, but all the mental scars that we will have no idea, we will never know the depth of them. We will never know the extent to which they exist. We will never know how to treat or who to treat, because we will never know. We will not see with our eyes how they affect these children.

And I think to myself, for some children there is still hope, but we have to look at ourselves as families. We have to look in the mirror. There is nowhere else to go. As John Donne says, ask not for whom the bells toll, they toll for thee and for me.

I accept the responsibility, and I hope with all my heart and I pray to the ever-living God that he gives me the wisdom, and my colleagues, and my community, and the culture, the wisdom to know what action we individually can take so as to avoid a tragedy like this ever happening again. I pray for that wisdom.

Mr. DEFAZIO. Mr. Speaker, I am deeply saddened by the tragedy at Columbine High School in Littleton, Colorado. It brings back emotions my hometown experienced last year when a group of students at Thurston High School were shot by a fellow student. Last week's violent rampage was an incomprehensible and devastating act and I know my community joins me in sending our thoughts and prayers to the victims and their families in Colorado.

We can't legislate all solutions, but we can take prudent steps to help prevent similar acts in the future. As we learned in Springfield, the changes needed to prevent similar tragedies are going to require an enduring commitment from each and every one of us. Preventing youth violence depends on our ability to support children and families. Each of us needs to look for ways to do more to help our neighbors and communities. In small ways and large, we can all help keep our children and families safe.

Mr. FORD. Mr. Speaker, this nation is shocked and deeply affected by the lives that were lost in Littleton, Colorado on Tuesday, April 20, 1999, as a result of a senseless shooting rampage. We must work harder to deter violence and promote safety in our nation's schools.

I agree with the President: We need to "wake up to school violence," and "if it can

happen here, then surely people will recognize [t]he possibility that it can occur in any community in America, and maybe that will help us to keep it from happening again."

My prayers go out to the students, teachers, faculty, staff, and parents of students who attend Columbine High School and to the suburban Denver community rocked by this shooting rampage.

This nation has made little progress in the way of making our school and communities safer and preventing these horrific tragedies from reoccurring. In fact, this was the ninth such incident of tragic school violence in recent years.

Many schoolchildren have access to weapons and they do not have the support systems to deal with their grievances.

Yesterday was a poignant reminder to all of us that communities, parents and gun makers have an obligation to act responsibly to keep our communities and schools safer.

But, parents and communities should not have to meet these challenges alone. Government has a role in keeping products such as assault weapons off of our streets and out of the hands of schoolchildren.

I urge my colleagues from both sides of the aisle to join me in making our schools, our communities, and our nation safer.

Mr. BARCIA. Mr. Speaker, in the aftermath of the tragedy in Littleton, the nation has been splintered by blame and torn apart by finger-pointing. As we all try to decide who or what is to be blamed for the terror wreaked by two young men, the fabric of our national community is being shredded. While there is a need to find some concrete thing to be culpable for this horrible event it is important for us to stand united as one people, as one country, to support those who need it the most.

As a Congressman, but first as a citizen of this nation, I would like to express my sincerest condolences to the people of Littleton, Colorado. I would also like to express the condolences of my district, the Fifth District of Michigan. I have spoken with many constituents, and received many letters, from those who are deeply saddened by this horrific event.

After the healing has begun, after we have all decided that we are ready to proceed, we need to become involved in our young people's lives. We need to support and nurture them like the incredible resources they are. Whether at home or in school, adults as well as peers need to take a vital interest in their children, students and friends. The sadness, frustration and anger that these two young men felt should never again be dismissed. What a disgrace it would be to the memory of those children and their heroic teacher if we should let the lessons fade from our collective conscience. Littleton should not be the "worst school massacre in our nation's history," it should be the last school massacre in our Nation's history.

Mr. CROWLEY. Mr. Speaker, I rise today in tribute to the students of Columbine High School in Littleton, Colorado whose tragic deaths have shocked and saddened our nation.

The images coming out of Littleton, of grieving families and students, of terrified children and communities struggling to cope with the devastating loss of those dear to them, are becoming all too familiar. We saw them last year, in Jonesboro, in Springfield and in West Paducah.

Mr. Speaker, this tragedy has again dramatically highlighted the inadequacy of current gun control laws in preventing these types of senseless tragedies. Therefore, I believe it is vital that we strengthen our Nation's gun control laws to keep guns out of the hands of children and work to help our young people express their anger and feelings of alienation through words and thoughts, and not weapons.

Our nations schools are supposed to be a safe haven for students striving to reach their full potential in a safe and secure learning environment. Instead, with increased access and availability of guns to our nations youths, we are seeing our nations schools turn into war zones.

Mr. Speaker, it is also imperative that we do more in our communities to ensure that tragedies such as the one in Littleton never occur again. That is why I strongly support programs such as the Federal Safe Schools-Healthy Students Funds to help communities put in place comprehensive violence prevention programs.

These funds can be used for everything from establishing conflict resolution groups to hiring more mental health counselors, to establishing new mentoring programs, to installing metal detectors and other security equipment.

In addition Mr. Speaker, I would like to announce that this week the Department of Justice and Education will distribute 150,000 additional copies of early warning timely response; A Guide To Safe Schools.

The guide, written for teachers, principals, parents and others who work with young people, provides information on how to identify and respond to early warning signs of troubled youth that can lead to violence in schools.

Mr. Speaker, we can no longer turn a blind eye to the devastating impact that guns can play on our society.

We must be vigilant in our efforts to prevent further senseless gun related tragedies and make sure that no more children's lives are needlessly cut short.

By taking actions to prevent future acts of violence in our schools, we can best honor the memories of those who lost their lives.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand today to express my profound sadness concerning the tragic events of last week in Littleton, Colorado. I would like to extend my deepest sympathy to the families of the victims of those horrific shootings. I support the Resolution that is on the floor today, and I hope that it will lead to a national dialogue on the need for mental health services for children.

Schools should be safe and secure places for all students, teachers and staff members. All children should be able to go to and from school without fearing for their safety. Unfortunately, we live in a time of metal detectors, mesh book bags and armed police in our schools. Instead of imprisoning our young people in school, we need to look into real solutions that will protect our children from harm.

This incident underscores the urgent need for mental health services to address the needs of young people. Without concerted efforts to address the mental health disorders that affect our children, we may witness even more terrifying violence in our schools.

The statistics on youth violence and adolescent death trends are startling: homicide deaths for teenagers between 15 and 19 accounted for 85% or 2,457 deaths by firearms and suicide rates have increased by more than 300% in the last three decades.

In addition, there has been a 1,000% increase in depression among children since the 1950s. This means that depression, one of the earliest indicators of poor mental health, is not being properly addressed. We must help our schools identify troubled children early and provide counseling for them before it is too late.

According to news reports, these young suspects were members of a group called the "Trench Coat Mafia." These young men felt that they were outcasts in the school community because they were teased constantly by the other students. The motive for this tragedy was reportedly revenge and racial prejudice. At the end of the day, 15 people were killed, including the two alleged shooters, who committed suicide.

I implore parents, teachers and the other adults who impact the lives of our young people to be on alert for the early warning signs of a young person who is troubled.

These warning signs include isolation, depression, alienation, and hostility. Recognizing these signs is the first step to ensure that troubled youngsters get the counseling and social skills training they need early to address their mental health needs before it is too late.

For the young people who witnessed this tragedy and survived, there is also a need for mental health services to help them make it through these difficult weeks ahead. The trauma of witnessing such an event will undoubtedly leave scars that may never fully heal. These children need counseling and support as well.

To the families and the community that has been devastated by this tragedy, our hearts and minds are with you at this difficult time. My thoughts and prayers are also with you.

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to support H. Con. Res. 92 and to express my condolences and sympathy to the victims' families and to the citizens of Littleton, Colorado, in the wake of the tragic shooting that occurred there last week. What can we as a Congress say to our children and their parents in light of such a devastating event? This resolution states that the House of Representatives "condemns, in the strongest possible terms, the heinous atrocities which occurred at Columbine High School in Littleton, Colorado; offers its condolences to the families, friends, and loved ones of those who were killed at Columbine High School and expresses its hope for the rapid and complete recovery of those wounded in the shooting; applauds the hard work and dedication exhibited by the hundreds of local, state, and federal law enforcement officials and the others who offered their support and assistance; and encourages the American people to engage in a national dialogue on preventing school violence."

It is important to pass this resolution and officially state our condemnation, condolences, and hope, and yet it is not enough. How will we, as individual Members of the House of Representatives, choose to act in response to this atrocity? Will we be satisfied with the passing of this resolution? We must not allow

ourselves to believe that with this resolution, we have done all that we could. We must honor the memory of those that were killed: Dave Sanders, Kyle Velasquez, Matt Kechter, Corey DePooter, Steven Curnow, Isaiah Shoels, Rachel Scott, John Tomlin, Lauren Townsend, Kelly Fleming, Dan Rohrbough, Dan Mauser, and Cassie Bernall. I say their names aloud on this day, in this room, to honor their memory and to urge my colleagues to remember that this teacher and these children had bright futures that will never be realized.

Vice President AL GORE asked the community of Littleton at the memorial ceremony on Sunday, "Now, as we are brought to our knees in the shock of this moment, what say we?" I repeat this question to you, my colleagues. What say we in the shock of this moment, and what will we say as the shock passes and our lives go on, even as the lives of those thirteen have ended? Will we say, "No more!"? Or will we turn away from the harsh reality of the world we have helped to create and hide our faces from the dangers our children face every day?

We must provide for our children alternatives to violence and opportunities for creative expression which will allow them to deal with their anger and hurt in productive ways. A pilot educational intervention program being developed in the fifth district of Missouri is the E3 system—Emotional and Ethical Education for Children. This curriculum seeks to foster the emotional, cognitive, and ethical development of children through the arts. The E3 system utilizes the theory of multiple intelligences and the arts within the curriculum in order to increase test scores and decrease conflicts and violence. Strong arts programs in schools provide emotional outlets for children and teach them to deal with their emotions without resorting to violence. We must make arts in schools a federal initiative and an essential component to the solution we all seek.

I urge my colleagues to remember the shock of this moment as we debate and consider bills in the upcoming months that raise difficult questions regarding individual freedoms and the safety of our children. Let us put partisanship aside as we enter these debates, and let us each consider in our own hearts the responsibility that we hold for the children of this nation and their future.

Mr. EVERETT. Mr. Speaker, the Nation is reeling from a terrible tragedy. On Tuesday, April 20, Columbine High School in Littleton, CO, was taken over by two students with the apparent malicious and premeditated intent to kill and main students and teachers. Students fled from the building while others hid inside, hoping the gunmen would not find them. As we watched the scene unravel the intensity rose as we realized there were at least 25 students still inside the building. The scores of law enforcement officers could only wait outside the building sizing up the situation and figuring out how to rescue the students. We watched and prayed and began to realize that this could be our community.

The final count after the SWAT teams had fully searched the school was 15 dead and 20 wounded. The damage inflicted by these two disgruntled students is the worse we have seen in a series of school attacks. The pain of the situation reaches past our understanding

and grabs our hearts. In a world where we must be strong, our frail humanity is awakened when something beyond our control happens. The damage that has occurred in Littleton, CO, has touched every American family, and the healing process is only beginning.

Columbine High School will never quite be the same. Schools across the Nation are even at this moment figuring out how they can prevent something as horrible as this from happening to them. There is no way to heal the pain felt by the parents who have lost their children, and in our democratic society, there is not way for us to assure our students they will be completely safe at school. The tragedy of the situation is that there is no perfect answer. The innocence lost by our children can never be regained, and we can only place them in God's hands as we send them out into the world. My prayers go out to the community in Littleton, that God would grant them strength and peace in the midst of such an unfathomable nightmare.

Mr. GOODLING. Mr. Speaker, it is with a heavy heart that I rise in support of this resolution that we are considering today. A senseless and horrific tragedy has stunned the nation, shocked a community, and devastated countless families. The name Columbine High School will be forever remembered in tragedy. In horror, we watched the events of last Tuesday and even now we are in disbelief as we have learned of the magnitude of the devastation caused by two teenage boys turned violent murderers.

Unfortunately, this is not the first time we have seen children become deadly criminals and turn their violence against other students and their teachers. Jonesboro, Arkansas, Paducah, Kentucky, Norwalk, Connecticut, Pearl, Mississippi, Edinboro, Pennsylvania, and now Littleton, Colorado, are synonymous with violent school tragedy. Schools should be sanctuaries of education and a place of safety for our nation's children.

This resolution condemns in the strongest possible terms, the heinous atrocities which occurred; offers condolences to the families, friends and loved ones of those who were killed; expresses hope for the rapid and complete recovery of those wounded; and applauds the hard work and dedication exhibited by the hundreds of local, State and Federal law enforcement officials and others who offered their support. But, it is with hope that we ask, through this resolution, for a national dialogue to understand this tragedy and stop school violence from ever occurring again.

As a parent, an educator, and a Congressman, I can only imagine the pain and suffering of the families and my heart and prayers go out to them. It is my hope that we will find answers to preventing these heinous and senseless actions so that no other community must face the nightmare of Littleton.

Mr. JONES of North Carolina. Mr. Speaker, I have the honor of representing the citizens of the Third District of North Carolina. Like all Americans, my constituents back home offer their prayers for those that lost friends and loved ones in last week's tragedy at Columbine High School.

Mr. Speaker, in the past year and a half, at least 29 people have been killed as a result of school violence.

Just last week, 15 lives came to an abrupt end in an environment that is meant to foster learning and development.

Each time our nation experiences such a tragedy we ask ourselves why.

Some blame violence in the media, music, the Internet, children's access to guns, parental neglect, but the truth is, it is all of this and more.

Mr. Speaker, the answer lies with each one of us.

In today's culture, when children are no longer shocked by violence and have easy access to technology, we must call on the parents, educators, and students to work together to prevent another senseless tragedy.

If we can foster interaction between parents, teachers, and students—to recognize potential problems—we have a greater chance of keeping our schools safe.

It will take work and cooperation, but when we look at the lives cut short at Columbine High School, I think we can all agree it is worth the extra effort.

Mr. Speaker, today, my thoughts and prayers are with the community of Littleton, Colorado, as they begin their healing process.

As a tribute to the family and friends who lost loved ones, let us turn this tragedy into an opportunity.

I ask all Americans to take a greater interest and responsibility in the education of our children.

Help us work together so that our nation's students can once again look to school as a haven for learning.

God Bless the community of Littleton during this difficult time and God Bless America.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, "It's kind of sad that it's not surprising anymore."

Mr. Speaker, these are the words of a high school sophomore at Irving High School in my district. She was speaking about the brutal and horrific rampage where two high school youngsters armed themselves and began a violent killing spree at Columbine High School in Littleton, CO. When their campaign of terror finally ended, 16 students and teachers were dead. In addition, some 20 other students were wounded.

Mr. Speaker, not only did I find myself naturally shocked by this incident, I was even more shocked by the aforementioned response to it by this high school student. Indeed, violence has so penetrated the lives of our youth that the shock value over events like those in Littleton, CO, has worn off. Between ethnic cleansing in Kosovo and young gunmen targeting minorities and athletes at Columbine High School, we certainly find ourselves in an environment where violence is expected, is the norm, and is not surprising anymore.

Mr. Speaker, I would ask this mourning Nation to be more attentive to the thoughts and words of our young people. We must come together and address this deadly mix of violence and racism. If we do not, then our young people will become more jaded, disenchanted, and numb over the loss of life. If we do not address the root causes of hate, then violence will rule the day and cease to be surprising anymore.

Unfortunately, we have been lacking in our commitment, zeal, and work to combat hate and violence. That is why I understand the words of this high school student and others throughout the country that look at this loss of life through such a bleak prism. I certainly cannot blame them. Although the madness perpetrated by the assailants was

unexplainable, the hate that motivated them was not.

Mr. Speaker, what must be explained to our youth is that we will make a concerted effort to understand them, teach them better ways to resolve their problems, and present more opportunities before them while removing guns from their lives.

Mr. Speaker, I join my colleagues in the House of Representatives, my constituents of the 30th Congressional District of Texas and the entire Nation in sending my prayers and thoughts to the families and friends of those people taken away from them in this tragedy.

Mr. Speaker, I also pray for other young people who may feel shunned by society and filled with misunderstanding, hate, and a feeling of being losers. I pray that we can all instill in these youngsters a better sense of self-esteem and purpose. The two students who gunned down their classmates before killing themselves at Columbine High School felt that they were losers. It was that feeling of being losers that motivated them to create such a loss.

Mr. GILMAN. Mr. Speaker, the recent events at Columbine High School in Littleton, CO, marks another sad chapter in the many recent tragedies that have occurred far too frequently in our nation's schools.

Too often today, we hear of acts of violence perpetrated in our schools by troubled youths. Equally too often, the reasons behind these acts eludes us, leaving parents, teachers and fellow students to search for the reasons.

The Columbine High School tragedy is a stark reminder we need to do all that we can in an endeavor to understand the motivations behind such acts in an effort to prevent future tragedies. We must also encourage parents and teachers to reach out to children whom they feel may be troubled to provide the help that they need.

While we may never know the true motivations behind the actions of Eric Harris and Dylan Klebold, we must do all that we can to ensure the safety of our schools so that teachers and students can attend class without fear.

I invite my colleagues to join in offering our condolences to the families, friends, and loved ones of those who were killed at Columbine High School and expressing hope for the rapid and complete recovery of those wounded in the shooting and also in recognizing the hard work and dedication exhibited by local, State and Federal law enforcement officials and others who offered their expert support and assistance to all affected by this tragic incident.

Mr. TANCREDO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TANCREDO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 92.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on House Concurrent Resolution 92.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

SATELLITE COPYRIGHT, COMPETITION, AND CONSUMER PROTECTION ACT OF 1999

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1554, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. ARMEY) that the House suspend the rules and pass the bill, H.R. 1554, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 422, nays 1, answered “present” 1, not voting 9, as follows:

[Roll No. 97]

YEAS—422

Abercrombie	Chabot	Foley
Ackerman	Chambliss	Forbes
Allen	Chenoweth	Ford
Andrews	Clay	Fossella
Archer	Clayton	Fowler
Army	Clement	Frank (MA)
Bachus	Coble	Franks (NJ)
Baird	Coburn	Frelinghuysen
Baker	Collins	Frost
Baldacci	Combest	Gallegly
Baldwin	Condit	Ganske
Ballenger	Conyers	Gejdenson
Barcia	Cook	Gekas
Barr	Cooksey	Gephardt
Barrett (NE)	Costello	Gibbons
Barrett (WI)	Cox	Gilchrest
Bartlett	Coyne	Gillmor
Barton	Cramer	Gilman
Bass	Crane	Gonzalez
Bateman	Crowley	Goode
Becerra	Cubin	Goodlatte
Bentsen	Cummings	Goodling
Bereuter	Cunningham	Gordon
Berkley	Danner	Goss
Berman	Davis (FL)	Graham
Berry	Davis (IL)	Granger
Biggert	Davis (VA)	Green (TX)
Bilbray	Deal	Green (WI)
Bilirakis	DeFazio	Greenwood
Bishop	DeGette	Gutierrez
Blagojevich	Delahunt	Gutknecht
Bliley	DeLauro	Hall (OH)
Blumenauer	DeLay	Hall (TX)
Blunt	DeMint	Hansen
Boehlert	Deutsch	Hastings (FL)
Boehner	Diaz-Balart	Hastings (WA)
Bonilla	Dickey	Hayes
Bonior	Dicks	Hayworth
Bono	Dingell	Hefley
Borski	Dixon	Herger
Boswell	Doggett	Hill (IN)
Boucher	Dooley	Hill (MT)
Boyd	Doolittle	Hilleary
Brady (TX)	Doyle	Hilliard
Brown (FL)	Dreier	Hinche
Brown (OH)	Duncan	Hinojosa
Bryant	Dunn	Hobson
Burr	Edwards	Hoeffel
Burton	Ehlers	Hoekstra
Buyer	Ehrlich	Holden
Callahan	Emerson	Holt
Calvert	English	Hooley
Camp	Eshoo	Horn
Campbell	Etheridge	Hostettler
Canady	Evans	Houghton
Cannon	Everett	Hoyer
Capps	Ewing	Hulshof
Capuano	Farr	Hunter
Cardin	Fattah	Hutchinson
Carson	Filner	Hyde
Castle	Fletcher	Inslee

Isakson	Miller, Gary	Sessions
Istook	Miller, George	Shadegg
Jackson (IL)	Minge	Shaw
Jackson-Lee	Mink	Shays
(TX)	Moakley	Sherman
Jefferson	Mollohan	Sherwood
Jenkins	Moore	Shimkus
John	Moran (KS)	Shows
Johnson (CT)	Morella	Shuster
Johnson, E. B.	Murtha	Simpson
Johnson, Sam	Myrick	Sisisky
Jones (NC)	Nadler	Skeen
Jones (OH)	Napolitano	Skelton
Kanjorski	Neal	Smith (MI)
Kaptur	Nethercutt	Smith (NJ)
Kasich	Ney	Smith (TX)
Kelly	Northup	Smith (WA)
Kennedy	Norwood	Snyder
Kildee	Nussle	Souder
Kilpatrick	Oberstar	Spence
Kind (WI)	Obey	Spratt
King (NY)	Oliver	Stabenow
Kingston	Ortiz	Stark
Klecza	Ose	Stearns
Klink	Owens	Stenholm
Knollenberg	Oxley	Strickland
Kolbe	Packard	Stump
Kucinich	Pallone	Stupak
Kuykendall	Pascarell	Sununu
LaFalce	Pastor	Sweeney
LaHood	Payne	Talent
Lampson	Pease	Tancredo
Lantos	Pelosi	Tanner
Largent	Peterson (MN)	Tauscher
Larson	Peterson (PA)	Tauzin
Latham	Petri	Taylor (MS)
LaTourette	Phelps	Taylor (NC)
Lazio	Pickering	Terry
Leach	Pickett	Thomas
Lee	Pitts	Thompson (CA)
Levin	Pombo	Thompson (MS)
Lewis (CA)	Pomeroy	Thornberry
Lewis (GA)	Porter	Thune
Lewis (KY)	Portman	Thurman
Linder	Price (NC)	Tiahrt
Lipinski	Quinn	Tierney
LoBiondo	Radanovich	Toomey
Lofgren	Rahall	Towns
Lowe	Ramstad	Trafficant
Lucas (KY)	Regula	Turner
Lucas (OK)	Reyes	Udall (CO)
Luther	Reynolds	Udall (NM)
Maloney (CT)	Riley	Upton
Maloney (NY)	Rivers	Velazquez
Manzullo	Rodriguez	Vento
Markey	Roemer	Visclosky
Martinez	Rogan	Walden
Mascara	Rogers	Walsh
Matsui	Rohrabacher	Wamp
McCarthy (MO)	Ros-Lehtinen	Waters
McCarthy (NY)	Rothman	Watkins
McCollum	Roukema	Watt (NC)
McCrery	Roybal-Allard	Watts (OK)
McDermott	Royce	Waxman
McGovern	Rush	Weiner
McHugh	Ryan (WI)	Weldon (FL)
McInnis	Ryun (KS)	Weldon (PA)
McIntosh	Sabo	Weller
McIntyre	Salmon	Wexler
McKeon	Sanchez	Weygand
McKinney	Sanders	Whitfield
McNulty	Sandlin	Wick
Meehan	Sanford	Wilson
Meek (FL)	Sawyer	Wise
Meeks (NY)	Saxton	Wolf
Menendez	Scarborough	Woolsey
Metcalf	Schaffer	Wu
Mica	Schakowsky	Young (AK)
Millender-	Scott	Young (FL)
McDonald	Sensenbrenner	
Miller (FL)	Serrano	

NAYS—1

Brady (PA)

ANSWERED “PRESENT”—1

Paul

NOT VOTING—9

Aderholt	Engel	Rangel
Brown (CA)	Moran (VA)	Slaughter
Clyburn	Pryce (OH)	Wynn

□ 1635

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, I was unable to present today for rollcall vote No. 97. Had I been present, I would have voted “yea.”

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1239

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1239.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 351

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 351.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

ORDERING SELECTED RESERVE AND CERTAIN INDIVIDUAL READY RESERVE MEMBERS OF THE ARMED FORCES TO ACTIVE DUTY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106-51)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

I have today, pursuant to section 12304 of title 10, United States Code, authorized the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, when it is not operating as a service within the Department of the Navy, under their respective jurisdictions, to order to active duty any units, and any individual members not assigned to a unit organized to serve as a unit, of the Selected Reserve, or any member in the Individual Ready Reserve mobilizations category and designated essential under regulations prescribed by the Secretary concerned. These reserves will augment the active components in support of operations in and around the former Yugoslavia related to the conflict in Kosovo.

A copy of the Executive order implementing this action is attached.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 27, 1999.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order

of the House, the following Members will be recognized for 5 minutes each.

AVIATION BILATERAL ACCOUNTABILITY ACT OF 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise today to ask my colleagues to join me in introducing the Aviation Bilateral Accountability Act of 1999. This legislation will require congressional approval of all U.S. aviation bilateral agreements.

U.S. international aviation policy is determined by a series of bilateral aviation agreements. U.S. bilateral aviation agreements are executive agreements that are negotiated and signed by representatives from the Department of State and the Department of Transportation. Congress does not play any official role in the approval of these agreements.

On April 9, 1999, Secretary of State Madeleine Albright and Secretary of Transportation Rodney Slater joined representatives from the People's Republic of China's aviation committee and agreed to a bilateral agreement between the United States and China. The dual agreement will govern aviation policy between the U.S. and China for the next 3 years.

The new agreement allows for a doubling of scheduled flights between the two countries over the next 3 years. This increases the number of flights from 27 per week for each country's carriers to 54 per week in the year 2001. The new agreement also allows an additional carrier from each country to be designated to serve the U.S.-China market in the year 2001.

Northwest Airlines, United Airlines, and Federal Express are the current U.S. carriers designated to serve the Chinese market. American Airlines, Delta Airlines, United Parcel Service and Polar Air Cargo have all expressed strong interest in serving the U.S.-China market and will no doubt compete vigorously to win the one additional carrier designation in 2001. The new U.S.-China aviation agreement also expands both direct and co-share service to more cities in both nations.

The new aviation agreement was agreed to after 18 months of long negotiations between the United States and the Chinese civil aviation authorities. The agreement was signed at the same time that China's Prime Minister was visiting the United States.

Many in the airline industry have praised the new agreement for expanding opportunities in the U.S.-China market. However, other industry members feel that the United States settled for too little too quickly. For example, United Parcel Service closely followed the negotiations and was particularly disappointed in the outcome.

The large U.S.-China market could easily accommodate additional car-

riers. In fact, even today, roughly 60 percent of the cargo that is transported between the U.S. and China is carried on third-country carriers, such as Korean and Singapore carriers.

□ 1645

At first, U.S. negotiators held firm to the position that at least two new additional U.S. carriers should be added to the U.S.-China market. However, unfortunately, the final agreement only allows for one additional carrier in the year 2001. Therefore, all U.S. carriers, both passenger and cargo, must compete for the single designation. United Parcel is not optimistic that it will win this designation because of the historical preference given to passenger carriers in such cases. Therefore, according to United Parcel Service, a new U.S. cargo carrier will not enter the U.S.-China market under the new agreement. This means that foreign cargo carriers will continue to benefit from the market at the expense of U.S. carriers and the U.S. economy.

I want to make it perfectly clear, however, I am not here today to criticize the new U.S.-China aviation agreement. Rather, I am here to point out that this agreement spells out how U.S. carriers will operate and compete in China for the next 3 years. China is the largest market in the world. It holds great trading potential for the United States. Yet the United States House of Representatives, the United States Senate did not play any official role in approving this agreement.

For this reason, I am once again introducing the Aviation Bilateral Accountability Act which will require congressional approval of all U.S. bilateral aviation agreements. Aviation agreements have tremendous long-term impacts on U.S. carriers, U.S. cities, U.S. consumers and the U.S. economy. In effect, these agreements are trade agreements that determine the amount of access the U.S. will have to particular foreign markets. Congress should not be excluded from agreements of such magnitude.

As Members of Congress, we represent those who will hopefully benefit from new aviation agreements—the businessman, the pleasure traveler, the consumer, and the flying public in general. Therefore, we should have the right to make sure that bilateral aviation agreements are negotiated to give U.S. consumers the most access to foreign markets, at the best price.

I once again urge my colleagues to join me in introducing the Aviation Bilateral Accountability Act.

The SPEAKER pro tempore (Mr. MILLER of Florida). Under a previous order of the House, the gentleman from California (Mr. OSE) is recognized for 5 minutes.

(Mr. OSE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from American Samoa (Mr. FALEOMAVAEGA) is recognized for 5 minutes.

(Mr. FALEOMAVAEGA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRATULATIONS TO RADIO STATION WGRE ON CELEBRATION OF 50 YEARS OF EXEMPLARY SERVICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PEASE) is recognized for 5 minutes.

Mr. PEASE. Mr. Speaker, though it was not my purpose to address the aviation issues, I wish to associate myself with the remarks made by the gentleman from Illinois (Mr. LIPINSKI), the distinguished ranking member of the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, a leader in advocacy for American aviation, its safety and for American carriers.

Mr. Speaker, 50 years ago last Sunday, a vision of student-oriented mass media became a reality on the campus of DePauw University in Greencastle, Indiana. On April 25, 1949, WGRE Radio began broadcasting as the first FCC licensed 10-watt educational station in the Nation. DePauw Professors Harold Ross and Betty Turnell founded the station based on an image of the mass media being an invaluable teaching tool. This founding vision has been the hallmark of WGRE's 50 years in broadcasting.

WGRC has been able to provide this teaching tool for its students while always being a community-oriented station. Throughout the station's history, WGRE has provided west central Indiana with diverse programming, meeting the needs of its listening audience. It has always made an effort to bring the listening audience programming it can use to become more well-rounded citizens. For example, during the station's earlier years, a complete opera series was broadcast to western Indiana. And now alternative music is in vogue, so the station complements this entertainment with around-the-clock news and sports coverage along with public affairs broadcasting.

WGRC has always been a full service FM radio station. Whether it be the music that fits the times, DePauw's sports broadcasts or local election coverage, WGRE has always tried to emphasize its diversity and the diversity of its mission. It is this diverse usage of the mass media that has worked to train 50 years' worth of WGRE DePauw University alumni. WGRE is proud of its alums that have used WGRE as a springboard to productive mass media careers, but WGRE is equally proud of its graduates who used the station as a tool to broaden their education on the way to pursuing careers outside of mass media.

Now run by a student board of directors overseeing the largest DePauw

University extracurricular volunteer staff of over 200 students, WGRE hopes to continue to serve the Greencastle and west central Indiana communities. This community awareness continues to be manifested through the station's ongoing community outreach and fund-raising activities. In recent years, WGRE has raised thousands of dollars for many causes, including the humane society and the local homeless shelter. This work has led to this station being the only college radio station nominated for a national broadcaster's community service award.

Currently at 91.5 FM on the radio dial, WGRE looks to have another 50 years of quality broadcasting recognized for its diversity and community orientation. The trail-blazing vision of Professors Turnell and Ross has grown into a bountiful mass media entity and dedicated to teaching its participants while serving the community.

Congratulations to the people of WGRE on the celebration of its 50 years of exemplary service.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

CALL TO ACTION IN AFTERMATH OF LITTLETON TRAGEDY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have on a ribbon of dark blue color to associate myself with the grief of America and the grief of those in Littleton, Colorado.

It would seem that over these last couple of days, so many of us have had the chance to express ourselves in words. There is a difficulty in that, for words can be soothing but, Mr. Speaker, they are not action, they do not stop the tragedy of what occurred, they are fleeting in their comfort, and they leave us looking for solutions.

Today, I was very pleased to join the President and First Lady and many members of the Cabinet and many Members of this House of Representatives and the United States Senate to once and for all put some action behind these words. First of all, we acknowledged that the people of Littleton, Colorado, were burying their dead children and with the pain that they experienced, we offered for them a moment of silence, hoping to connect in some way with the pain of bearing a teacher and students, children that were loved, children with futures, the pain that was experienced by that community, we hoped we could connect to it. But we also felt compelled, as I have done in the past couple of days, to do something more.

And so the remarks that were made today were very strong in action. They were also strong in passion. I hope that we were heard not only by the Members and those in the audience but really by America, because one of the most important things that was said by the gentlewoman from New York (Mrs. MCCARTHY), America must express its outrage by action and America should stand up along with those who care about the proliferation of guns and gun violence by children against another incident like this happening and more words being said.

The first, Mr. Speaker, was I asked last week that you convene those of us involved in children's advocacy groups, caucuses that are part of the House, so that we can talk to each other about what we can do for children. Last week I also amended the juvenile crime bill to be marked up in Judiciary to provide a provision that deals with mental health services. Two-thirds of America's children do not have mental health services. We do not have a way of intervening, of risk assessment, we do not have a way of prevention and treatment. We do not listen to our children. We lock them up but we do not get into their minds ahead of time to find out about the anger, the anguish and the pain.

But we must realize that guns kill, Mr. Speaker, as well. And today we took a stand to eliminate the evilness of what guns do with children. First of all, 250 million guns in America, almost one gun for every American. Today, the President unveiled a package to increase the age at which you could get a gun and to hold someone liable for selling a gun to someone under the age of 21; to also hold parents responsible for those children who get guns into their hands; to not allow gunrunning by limiting the gun purchases to one a month; to acknowledge the fact that yes, people kill but they use guns to kill.

And, therefore, Mr. Speaker, it is sad to note that the National Rifle Association was not standing with us. I am not against hunting, I am not against sports, using guns. I realize that we have freedom in this country, Mr. Speaker. But if we do not remove that culture of arguing the second amendment and that we need these guns for sports and we shoot ducks and other things and do not realize that we have got to get the assault weapons, we have got to get the proliferation of guns off the street, we have got to do something about guns in the hands of children. Now is the time. The moment is here, tragically.

I hope, Mr. Speaker, that we do not have to bury more children because we refuse to act. It is now time to ban guns from the hands of children, hold parents and adults responsible, move the age up to 21, stop buying guns and gunrunning, and ensuring, Mr. Speaker, that we do not have the bomb-making, if you will, recipes on the Internet, and that we do not allow our children to get guns in their hands.

Automobiles kill, yes, they do, Mr. Speaker, but most times it is classified as an accident. When guns are in the hands of individuals who are frustrated and angry and sad and in pain or just plain mean, they are intentionally used to kill people.

There is a time now, Mr. Speaker, to fight this gun siege and to end the tragic killings of our children. My sympathy to all of America. I ask that you stand up and be counted to make sure that we have a safer place for our children to live.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ON KOSOVO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KASICH) is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, it seems clear that the crisis in Kosovo is nearing a decision point. It is obvious that last weekend's NATO summit in Washington was a watershed. Now the administration and other NATO governments are talking openly of at least planning for the introduction of ground troops to secure Kosovo, something that the administration had until then denied it was even planning. Officials are using euphemisms like "troops in a nonpermissive environment," but the meaning ought to be plain.

At the same time, however, there have been high-level meetings between U.S. and Russian officials about the substance of Russian Envoy Viktor Chernomyrdin's mission to Belgrade over the weekend. There are contradictory reports coming out of Belgrade and Moscow about exactly what constitutes a basis for negotiation. The Russians are saying that a UN-authorized force that included elements from NATO would be acceptable to Milosevic, but Milosevic later denied he had agreed to that. But yesterday the Yugoslavian Deputy Prime Minister insisted that such an international force was acceptable.

NATO governments have downplayed the significance of the Russian peace proposal. But before we consider the step of introducing ground forces into a conflict that I believe was unwise for America to have become militarily involved in to begin with, we ought to test such peace proposals before we think about military escalation. Likewise, the UN Secretary General, Kofi Annan, is scheduled to travel to Moscow on Thursday for discussions on Kosovo. Such visits should not be spurned or belittled if they are constructive steps, however halting and uncertain, on the path to peace.

I strongly believe that America should seize opportunities for peace rather than to seek opportunities to escalate the violence. We have to honestly ask ourselves whether we would pursue the same policy if we could turn the calendar back to March 24. Our bombing did not initiate ethnic cleansing in the Balkans, but we have to be candid in recognizing that it aggravated what was already a humanitarian tragedy. An important element of the Hippocratic oath in medicine is, first, do no harm. If U.S. policy was based on humanitarian considerations, it has clearly failed on that score.

Having embarked on this policy, the United States has now assumed a moral obligation to get Milosevic to withdraw his forces from Kosovo. He should help return the refugees in an orderly manner and work with us to generally assist in reconstruction, along with all of our allies and friends throughout the world. Just as surely, we need to help Albania and Macedonia economically, for they are bearing the brunt of the refugee crisis. But we must ask ourselves whether military escalation is the best means of achieving that. I have come to the conclusion that military escalation is neither in the national interest nor can it achieve a stable, long-term peace in the region.

□ 1700

Those who have called for ground troops usually do not specify the goal. Is it to take Kosovo and occupy it for years, perhaps decades, against the threat of Serbian guerrilla warfare; or should the goal be to conquer Serbia with unforeseen consequences to wider Balkan instability, our relationship with Russia and our ability to respond to other regional flash points around the world? Do those who advocate such a course understand that it may take months to properly build up such an invasion and force? How much more misery and devastation will have occurred by then, and does that serve the interests of refugees and innocent civilians?

I am not impressed by foreign leaders who take it upon themselves to lecture the American people about where our duty lies or how we must not be so misguided as to slip into isolationism. This argument is simply not warranted in light of the history of the last 50 years or in reference to the present situation. Responsible internationalism does not mean we must be stampeded into using force when our national interest is not well defined and other means short of force have not been exhausted.

I plan to offer a resolution with my colleagues, the gentlewoman from Florida (Mrs. FOWLER) and the gentleman from Pennsylvania (Mr. GOODLING), a resolution that would neither mandate withdrawal on the one hand nor escalate the war and do a ground invasion on the other. This resolution would bar the introduction of ground forces from Kosovo and the rest of Yugoslavia. Why is such a course pref-

erable? Because once having initiated hostilities, even if it was a policy based on flawed premises, we cannot simply walk away and wash our hands of the problem. The bombing has created certain facts: for our own policy, the perception of Yugoslavian government, and not least for the refugees. At the same time, however, we should avoid military escalation in a region where the only rational and durable solutions are political in nature.

I use the term "escalation" with good reason, because the parallels with Vietnam are striking. For that very reason this resolution would prohibit ground combat operations in Yugoslavia without specific authorization in law because the mission creep in Kosovo is similar to U.S. force deployments in the early stages of Vietnam. Viewed through the lens of history, our force buildup in the region and our edging towards ground combat operations could be the prelude to another Gulf of Tonkin incident. Members also should be aware that this resolution specifically exempts search-and-rescue missions.

But drawing a legislative bright line between bombing and boots on the ground is only one element of the solution. The problem is now bigger than Kosovo, and I believe America should actively encourage the mediation of a settlement before this crisis becomes a wider conflict. To the objection that mediation will not work, I say we will never know unless we, the United States, throw greater weight behind such efforts.

I do not underestimate the difficulties that are involved, but should Milosevic balk, we will retain the ability to apply military pressure from the air. Once a settlement is reached, an international force may be necessary to assist the refugee return and oversee reconstruction. We should be more flexible about the makeup of this force than we have been in the past. Rather than making its composition a non-negotiable end in itself, we should bear in mind that the international force is the means to an end; that means to an end, peace and stability in Kosovo where ethnic Albanians can live in safety and with autonomy.

Last week I urged the President to call for a special meeting of the G-8 countries to begin a formal effort to achieve a peaceful settlement. This G-8 meeting could help initiate a framework for a diplomatic solution of the crisis and begin to put in place the foundation for economic assistance to the region. Delegations from the Ukraine and other affected regional countries could also be invited. Such a meeting is only the beginning of a long and difficult process, but it is a step our country should not be afraid to take.

I am pleased that the President appears to be responding positively. This week Strobe Talbott, the Deputy Secretary of State, was dispatched to Moscow for discussions on Kosovo, and I

hope that these talks are a prelude to the heads of governments of the affected countries making a concerted effort at a political settlement.

The United States can and should remain strongly engaged internationally because regional instability will not solve itself. But we must choose our tools very carefully, for the stakes do not allow for failure. I believe America needs to draw a careful balance between our military and diplomatic efforts. Right now there is an imbalance in favor of military means. While maintaining the option of military pressure from the air, we should avoid boots on the ground or rather boots in a Balkan quagmire. That is why the Fowler-Kasich-Goodling resolution is the right approach and deserves the support of this House. In the longer term, however, we should seek opportunities for a lasting and enforceable political settlement.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Washington addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. CUNNINGHAM) is recognized for 5 minutes.

(Mr. CUNNINGHAM addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Oregon (Ms. HOOLEY) is recognized for 5 minutes.

(Ms. HOOLEY of Oregon addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DEMINT) is recognized for 5 minutes.

(Mr. DEMINT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. ABERCROMBIE) is recognized for 5 minutes.

(Mr. ABERCROMBIE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. GANSKE) is recognized for 5 minutes.

(Mr. GANSKE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WISHING DR. DAVID STRAND OF ILLINOIS STATE UNIVERSITY A HAPPY RETIREMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EWING) is recognized for 5 minutes.

Mr. EWING. Mr. Speaker, I rise today in honor of a very good friend of mine, Dr. David Strand, to recognize his pending retirement as president of Illinois State University in Bloomington, Illinois. I would be remiss not to come here today to honor Dr. Strand, for throughout his long and distinguished tenure, spanning from 1978 until 1999 at the university at Normal, Illinois, Illinois State University, Dr. Strand has helped shape the lives of thousands of young men and women. Over the years graduates of Illinois State University have traveled far beyond the borders of Illinois and have spread out around the country to become some of the best and the brightest in their respective fields.

As doctors, lawyers, educators, business professionals and civic leaders, these men and women have gone on to help shape the United States into the prosperous, peaceful and strong Nation we are today. Dr. David Strand through his years of service helped make this happen, and for this we, as a Nation, owe him a debt of gratitude.

Mr. Speaker, too often we fail to realize the importance of talented educators like Dr. Strand. Not only has Dr. Strand maintained the integrity and high academic standards for the university, but as a classroom professor, a professor of education, David has mentored countless young teachers, those men and women who will in kind touch thousands of other young lives. Those teachers and their students will secure the future of our Nation far into the next century, this in part due to the efforts of Dr. Strand.

As a community leader, David has made a permanent mark on his community and our State. He has worked with the public libraries, the community concert association and the Boy Scouts, just to name a few. He has been honored on many occasions by numerous organizations for his many community and professional accomplishments.

Mr. Speaker, I am pleased to rise and recognize David Strand for the contributions he has made to Illinois State University and the Bloomington/Normal community. David Strand is indeed an administrator, an educator and citizen that we, as a Nation, can and should with one voice say "Thank you."

Mr. Speaker, I enter this statement into the CONGRESSIONAL RECORD so this and future generations of Americans can be aware of the numerous contributions of a man I am honored to call a friend, Dr. David Strand of Bloomington, Illinois, and I wish Dr. Strand a happy, healthy and enjoyable retirement.

Mr. Speaker, I rise today in honor of my good friend, Dr. David Strand, to recognize his

pending retirement as President of Illinois State University in Bloomington, Illinois.

I would be remiss not to stand here today honoring Dr. Strand, for throughout his long and distinguished tenure spanning from 1978 until 1999 with Illinois State University, Dr. Strand has helped shape the lives of thousands of young men and women.

Over the years, graduates of Illinois State University, have traveled far beyond the borders of Illinois, and have spread out around the country to become some of the best and brightest in their respective fields.

As doctors, lawyers, educators, business professionals and civic leaders, these men and women have gone on to help shape the United States into the prosperous, peaceful and strong nation we are today. Dr. David Strand, through his years of service, helped make this happen, and for this, we, as a nation, owe him a debt of gratitude.

Mr. Speaker, too often, we fail to realize the importance of talented educators like David Strand. Not only has Dr. Strand maintained the integrity and high academic standards for the University, but in the classroom, as a Professor of Education, David has mentored countless young teachers—those men and women who will, in kind, touch thousands more young lives. Those teachers, and their students, will secure the future of our nation far into the next century. This is, in part, due to the efforts of Dr. Strand.

As a community leader, David has made a permanent mark on his community and our state. He has worked with the public libraries, the community concert association and the Boy Scouts just to name a few. He has been honored on many occasions by numerous organizations for his many community and professional accomplishments.

Mr. Speaker, I am pleased to rise and recognize David Strand for the contributions he has made to Illinois State University and the Bloomington/Normal community. David Strand, is indeed, an administrator, educator, and citizen that we as a nation, can, and should, with one voice, say "thank you."

Mr. Speaker, I requested that this statement be entered into the CONGRESSIONAL RECORD so that this, and future generations Americans can be aware of the numerous contributions of a man I am honored to call "friend"—Dr. David Strand of Bloomington, Illinois.

I wish Dr. Strand a happy, healthy and enjoyable retirement.

MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Washington (Mr. McDERMOTT) is recognized for 60 minutes as the designee of the minority leader.

Mr. McDERMOTT. Mr. Speaker, I welcome this opportunity to talk today about Medicare.

This is a program that we hear lots about in the news and in political campaigns, and people talk about it as though they all understood what they were talking about. I would like to talk a little bit about the program today and then talk about what all the excitement is about, what people are talking about, why they are talking.

The first thing that needs to be said about Medicare is that it is a success.

People will talk about it: It is about to fail, it is going to collapse, it is the end of the world. But if you were active politically before 1965, the situation was very much different for senior citizens in this country.

I put this graph up because I think it is important to remember what it was like before Medicare. In 1965, 54 percent of senior citizens did not have health insurance. Less than half the people in this country had health insurance when they got to be 65. Today, in 1999, 99 percent of senior citizens are covered.

Now what that has done for not only the senior citizens, but their children and their grandchildren, has been enormous because it has had an impact on them both from a financial standpoint, but also from the standpoint of the security of knowing that, as a senior citizen, you have health care benefits, and you do not have to go to your kids and have your kids take care of you, and for that reason it has been an enormous success.

There are 39 million elderly and disabled people in this country who are on the Medicare program. We spent about \$207 billion in 1997, and that is the last year we have good solid figures for; that is about 11 cents out of every Federal dollar goes for taking care of senior citizens in this country, and it amounts to about \$1 and 5 of every dollar spent on health care in this whole country.

Now let me put up the second one here. Part of the reason why we have so much discussion about Medicare is it is such a big program. If we look at the Federal budget, and we can do a short budget course here, the biggest element of our budget is Social Security which takes 22 cents out of every dollar. Defense takes 15 cents out of every dollar, and then we come to the interest on the debt which is 11 cents on every dollar, and Medicare, 11 cents out of every dollar. So, Mr. Speaker, it is the third largest or fourth largest expenditure in the Federal budget. We spend 6 percent on a program called Medicaid, which is a State program for poor people's health, and all the rest of government is 35 percent.

So Medicare is an enormous program that is used by, as I say, 39 million people, both the elderly and the disabled.

□ 1715

You hear or read in the newspaper that Medicare is going to go broke, and you say to yourself, well, how could a program that is that valuable to so many people, spends that amount of money, how could it possibly go broke? What is it about this program?

I want to explain it, because it is easy when you are watching television and listening to people or reading the newspaper to not really understand what Medicare is. Medicare is actually two programs. The first program is Part A.

Now, in 1965, the problem was that they looked out and they said, "Senior

citizens don't have any hospitalization, so we ought to put together a program for hospitalization for seniors." So Part A covers inpatient hospitalization, it covers skilled nursing facilities and it covers hospice care; and beneficiaries, senior citizens, pay a deductible and then they pay a certain amount of cost-sharing. They pay 20 percent of the bill when it comes, when they are in the hospital.

Now, when they were passing this bill through the House, it started out just as Part A. As it went along, Members of the House said, "This is dumb. Why are we passing a bill that will pay for senior citizens to go into the hospital, but do absolutely nothing for their doctor bills?"

So somebody said, well, "Let's add Part B." Part B includes the physician's cost, that is the doctor's payment, the laboratory costs, x-rays, outpatient services, mental health services, and Part B is paid for from the beneficiaries. Senior citizens pay a premium. Every senior pays \$45.50 a month as part of their cost, and then they also pay the cost-sharing of various parts, 20 percent or whatever.

Now, here comes what the real problem is: How do we pay for that? Well, of course, the beneficiaries are paying something, but most of what is paid in by people, in Part A, 89 percent of the money comes from payroll taxes. That means everybody who is working is putting money into Part A. It is called a trust fund.

Over the years with that trust fund, we increased the amount. Everybody who is working pays 1.45 percent of your earnings into the trust fund, and the employer pays 1.45 percent of your salary into the trust fund. Those are the payroll taxes that are on your stub. So senior citizens' health care is being paid for by the workers today.

It used to be there were four or five workers for every senior citizen. In the future it is going to get down to the point where there are about two people working for every senior citizen drawing benefits out of this program. So when people say that the Medicare is going broke, they are saying that there are not going to be enough workers paying payroll taxes to pay for the benefits for hospitalization. It is only that part, Part A of Medicare, that is going broke or is not going to have enough money.

Now, on the other side, on Part B, on this side you remember I said everybody pays a \$45.50 premium, so about 22 percent of Part B is paid by the premiums, by senior citizens themselves. They pay for it. Then 76 percent of it comes out of the Treasury of the United States.

Now, nobody can tell me that the Treasury of the United States, the richest country on the face of the Earth, is going to go broke. So when people talk about Medicare going broke, they are talking only about this part and not about Part B, because this part is not. There is no way we are not

going to pay for the health care of our seniors in this country.

Looking at the last slide again, one of the ways in which we have dealt with this problem in the past has been to make adjustments in the Medicare program. We have made adjustments every year since 1965.

Every year a group of people called the trustees sit down and say, "What is the status of the trust fund, Part A?" They will say, "Well, it is going to go broke in 2 years," or, "It is going to go broke in 16 years," or, "It is going to go broke in 5 years." The Congress then meets every year and makes changes.

In 1987 we made a lot of changes. We said one of the things we are going to do to take the pressure off of Part A is move home health care from the payroll tax part over on to the general fund of the United States Government, the General Treasury. We have done that many times in the past.

Medicare does some other things which do not show on this chart because they are not related to senior citizens directly. Since this is the major medical program of the Federal Government, anytime we want to do something for senior citizens in this country, or for health care generally, we had a tendency in the past, before I got here in 1988 at least, to stick the program in here.

For instance, the financing of medical schools, it is called Graduate Medical Education, GME. We put that into Medicare, and everybody who goes into a hospital has a certain amount of their payment which is for the Graduate Medical Education. It pays for the interns, the residents, all the medical staff in the hospital.

We have also a program in there for all the hospitals that take care of people who do not have any health insurance. If someone in this country is sick, they pick them up, they take them to the hospital. The hospital cannot say, "No, we are not going to take care of you, take them out and leave them in the parking lot." They have a responsibility to take care of them, so they take care of them. Then where do they get the money to pay for that? Well, the money to pay for that comes out of something called DISH payments. It is the disproportionate share of people who do not have insurance. So we put that program in.

We have loaded up Part A with all these kinds of programs to make sure that we took care of what was a major medical need for the entire country. In this country, for instance, if you have your kidneys fail and you need to have dialysis or a kidney transplant, you are put right into this program. Everybody in this country who has kidney problems or kidney failure ultimately winds up in Medicare.

We have about 100,000 people who are covered by this program. If the program did not exist, they would have died. When I came out of medical school in 1963, if your kidneys failed,

that was about it for you. Then they developed the dialysis machine and then kidney transplants, and, as those things developed over the course of time, they were added to the Medicare program. So it has been a program that has been adjusted every year for years and years and years, and has functioned very well.

It is not a generous program. It certainly is not a program that does not have a problem here and there, but it has raised the life expectancy of our senior citizens. It has taken away their fear about their ability to pay for their health care. It has taken the pressure off their children.

Their children, people my age, my mother is 89 and she is on this program. My father, 93, just died a few months ago. People like me, when I had to choose, shall I take care of my mother and father or put my kids through college, I did not have to make that choice, because Medicare took care of my mother and father, and I could pay attention to my kids. Medicare has simply wiped out the responsibility for most of us to take care of our parents or our grandparents, because Medicare has been so successful over the course of the years.

Now, the question comes, if there is a problem in Medicare, what should we do? Should we try and modernize the present system and continue to guarantee seniors what every senior citizen in this country has; that is, a list of benefits; or should we make a fundamental restructuring, throw away the old system or ease it out the door, so-to-speak, and bring in a new one, either for universal coverage or to a defined contribution?

These are two terms that anybody who is going to discuss Medicare really ought to understand. A defined benefit says that everybody who has the program, every senior citizen, whether they live in South Carolina or Texas or Washington State or New York, everybody gets the same benefits. It does not make any difference where you are.

This is an American plan. It says we are going to be fair to everybody; no matter who you are, where you live, what you look like, how much money you have, whatever, you are going to get the same plan. That is why Medicare has been so successful and has so much popular support for it, because people understand it is a fair program that covers everyone.

Now, if you are going to make a restructuring and you are going to in any way take away that defined benefit and replace it with simply a defined contribution, that is, then instead of guaranteeing people that they are going to get all the things that they presently get, you say to them, here is a voucher, here is X number of dollars, you take that money and go out and buy yourself a plan.

Now, I sat on the Medicare Commission for the last year, and what we talked about for that year was something called a premium support plan. I

want to talk a little bit about that, but I see my good friend the gentleman from Texas (Mr. GREEN) is here, and the gentleman has some ideas. Tell me what you are thinking about.

Mr. GREEN of Texas. Mr. Speaker, I appreciate the chance to speak this evening. I thank the gentleman for not only his service on that Medicare Commission, but also for tonight, for this special order and some of the information you are imparting. I hope there are a lot of people out there listening, and those of us still in our offices will know, because what you are talking about with the difference in the defined benefit plan versus defined contribution was really one of the cutting edges on which you were talking about as a member of the Medicare Commission.

I know you talked about it earlier, but protecting Medicare should be on the top of not just the Democratic agenda, but all our agendas. Ninety-nine percent of our seniors are relying on this program for some type of medical assistance. You talked about some success we had. Over 39 million elderly and disabled Americans, 35 million elderly and 5 million disabled, receive Medicare. Before Medicare, almost half of the elderly were uninsured.

That was the fault of the market. No one could afford what the private sector wanted to charge a senior citizen for insurance. People could not afford it. That is why Medicare was created, and that is why it is so important that we talk about the policy debate like you are mentioning and we talk about how important the Medicare program is, because, to me, it ranks right up there with defense of the country, the Social Security system, education of our children and Medicare for our senior citizens.

It has been so successful. The life expectancy of people over 65 has increased over 20 percent, from 79 to 82 years in such a short time. Access to care has increased by one-third. Seniors are seeing doctors almost 30 percent more than they did before Medicare. Poverty has declined, because, again, we have a program that they do not have to spend themselves poor to have health care. There are seniors who have very little income who cannot afford the high cost of medical assistance, if it was not for Medicare.

The program is critical for those who face disability, as I mentioned. The gentleman talked about the dialysis, the kidney failure, the success we are having now under Medicare if you have kidney failure. At one time you were just sent home to die. Now you can actually live with dialysis that is available through Medicare.

We search for ways to protect the future of the program. It is estimated that approximately 35 percent of Medicare beneficiaries have no prescription drug benefit. I know a lot of people in my district have joined Medicare HMOs simply because that is what they needed. They needed some type of prescription drug benefit, so they joined HMOs.

The problem is we now see a lot of the health maintenance organizations, HMOs, withdrawing from the market because they got in and thought they would make more money. I thought they were making plenty.

□ 1730

But they thought they would make more money, so they are drawing from certain portions of the market, rural areas; not necessarily from Houston where I am from, but I know it is happening in other parts of Texas.

We did a study in the district I represent on prescription medication and the almost double and sometimes triple the cost of prescriptions for senior citizens. I know when the gentleman was on the commission, that was one of the things that the commission members agonized over and said well, if we are going to reform Medicare, let us see if we can expand fee-for-service Medicare, where one does not make a decision to go to managed care just because someone needs the help, to have a copay on prescription drugs. That is pending legislation, and I hope Congress will consider it when we are dealing with Medicare.

I use an example, and I have said this thousands of times in my own district. My dad is 83 years old. I did not know his father. His father died before I was born. That was during World War II. My dad, though, his success is because he has had adequate health care since he has retired, since he has been 65, and so we are seeing that longevity individually and as a group, as I mentioned.

So that is what the benefits of Medicare are, and that is why it is so important. That is why I wanted to see the commission successful. But I did not want to see it successful with what I would see would take away Medicare from the guarantee that we have. It does not pay for everything; the gentleman and I know that. Prescription drugs is a great example; glasses. It does not pay for everything. I saw a bill that my mother-in-law receives from a physician and there are things that Medicare does not pay for. She has to pay for that. We understand, though, that it pays for so much and it pays for so much security for seniors to go to the doctor.

That is why I am proud to be with the gentleman tonight, and the gentleman's explanation of the defined benefit versus defined contribution. That is where the rubber meets the road, because in a district like I represent that is predominantly blue collar, they do not have that kind of income. Of course, I do not see how many people could afford, if we disregarded or eliminated Medicare right now, they could not go to the market and buy insurance. An actuary would say, if I am 67 years old, how much do you think they would want per month from me, \$3,000 a month? How many people can afford that? The free market system is not available for Medicare recipients, for senior citizens, because it just cannot

work. I think some people on the other side maybe have forgotten that, that the reason that we have Medicare is because one cannot use the free market system.

If I was in the insurance business, I would not want to sell to a senior citizen. They are going to have a lot of claims; they are elderly. We cannot make that kind of money unless we have a Medicare-type program. So again, I thank the gentleman for his service on this commission, but also for this evening and this afternoon for requesting this time to talk about it.

Mr. McDERMOTT. Mr. Speaker, one of the interesting things the gentleman is talking about is how much money senior citizens pay out-of-pocket. The average senior citizen spends \$2,500 out-of-pocket.

Now, if we think about that, \$2,500, that is a lot of money, but for those of us who are working it may not seem like very much. But if we think about it, almost half the seniors in this country have incomes less than \$15,000, and there are almost 10 million widows in this country who live on less than \$8,000 a year. So if someone is a widow and their husband had a job, and they were living on Social Security and the husband died and they get the residual benefit, that person is therefore making about \$8,000; if that person has to take \$2,500 out-of-pocket today, that leaves that person with \$5,500 to live on.

Now, if we think it about, how in the world, I do not know what it is like in the gentleman's city, but I will tell my colleagues in my city \$5,500 does not go very far when one has to get a house to live in and some food and pay for lights and telephone and maybe some clothes. So we are talking about a very hard life for these people if we say we are going to have to get more money out of them, which is what really this premium support program does.

Mr. Speaker, two-thirds of the savings from the Breaux-Thomas proposal was additional money taken from the beneficiaries. We are talking about half the senior citizens living on less than \$15,000 a year.

So that is why it is very important to talk about who senior citizens really are, as though somehow we get the idea that they have this free ride on health care and they are just rolling in dough somewhere, that is not true. The facts simply are not there, particularly when Medicare does not cover prescription drugs. Anybody who looks at our program, or the program of most employers covers prescription drugs, but Medicare does not. That is why the President said, that is one of the benefits that ought to be added. If we are going to modernize the current system the way we do it, at least we have to put in prescription drugs.

So I appreciate the gentleman coming down.

I see another one of my colleagues, the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I just wanted to thank the gentleman again for all that he has done to try to shore up and, as the gentleman says, make the case as to why we have to modernize Medicare. I know that the gentleman served for a few years on this Medicare commission. I want to commend the gentleman because the gentleman refused to accept this Breaux-Thomas proposal. I know we are hearing that it has been introduced in the House and there is an effort to try to push it here in the House of Representatives, but I am glad that the gentleman and enough of the other members of the commission voted against that, because otherwise it would have had the sort of stamp of approval, if you will, of the Medicare Commission, and it did not because it is not a good idea.

I totally agree with what the gentleman said about modernizing the current system. When I talk to seniors and to people who have been involved in Medicare over the years, they explain to me, and the gentleman might want to comment on this as well, that when Medicare started out, prescription drugs and some of the other things that are not covered really were not that important. In other words, there were not as many drugs available, people did not rely on drugs so much; they were not so much a part of sort of the preventive nature that they are today. It did not exist maybe 30-some years ago or when Medicare first started in the 1960s. The reason we need to modernize is because there were a lot of things that were not covered when the program started, like prescription drugs, that now have taken on vast importance. Therefore, we need to look at the system again to try to come up and see what is not covered.

One of the things that I hear from my senior citizen constituents so often is that most of them, or at least most of the ones that contact me, do buy some kind of Medigap coverage because of the gaps in the coverage in the current system. But the Medigap policies and the premiums for those are also going up significantly.

I saw some information about the increased premium costs for Medigap in the New York-New Jersey metropolitan area. They were much higher than inflation, significantly; sometimes 13, 14 percent increases on an annual base. So we do need to modernize. But what the gentleman is pointing out and what I think is most important is let us modernize in a way that expands the benefit package, add prescription drugs, try to be conscious of the costs that so many seniors are incurring out-of-pocket.

I just want to say that some of the things that some of our colleagues on the other side have put forth, and I am not saying they are all that way, but some of the things that I have heard about increasing the age limit before one is eligible for Medicare, or means testing. Mr. Speaker, means testing

may sound good to some people saying well, if one has a little bit more money, maybe one can pay more. I see Medicare as sort of like a contract, sort of like Social Security. People knew that they were going to get Medicare by paying into the system over the years, and it does not seem fair to me now to say at this stage well, okay, if you are above a certain income you have to pay more, maybe to the point where you do not get Medicare coverage at all and you have to pay completely out-of-pocket.

The other thing I wanted to say, and I am so glad that my colleague from Washington got into this, and that is that this Breaux-Thomas proposal, when we listen to some of the advocates for it, they make it sound so rosy, like it is such a great thing; it is going to save money for the Federal Government. One is still going to get the same benefits, the costs out-of-pocket are not going to go up. It is a lot of baloney.

The way I have looked at this thing, and I know we have talked about it before, the gentleman and I and others on our side of the aisle, just the opposite is true. The way I understand it, there will not be a defined benefit package, so it will not be clear at any given point that certain types of things would be covered, including prescription drugs. In addition, if one is in a fee-for-service plan, which most people like, where they basically can go to any doctor they want or they can go to whatever hospital they want or whatever emergency room, and the doctors just get paid out of Medicare, well, what they are going to do with this Breaux-Thomas proposal is say that if one is in a fee-for-service program, one is going to get a voucher and the Federal Government is only going to pay a certain amount. If the fee-for-service program, the premium for that program is above whatever the amount is that is established by whoever is in charge of this program in Washington, if one's fee-for-service plan is more than that, one is going to have to pay that difference out-of-pocket, so costs are going to go up for anybody who is in a fee-for-service program. What that means is unless one is a little wealthier, one is going to have to be pushed into managed care because one will not be able to pay and afford the traditional fee-for-service program; one is going to have to opt for a managed care plan.

A lot of people around the country, if they are in rural areas or in certain parts of the country, they do not have managed care plans, number one. In addition to that, many of my constituents are not happy with their HMO or managed care. Many of the HMOs in New Jersey have actually dropped out of Medicare and dropped the coverage, and seniors have been left where they have to look around and try to find some other coverage because the HMOs have gone bankrupt.

So pushing everybody into managed care may sound like a good idea to save

money for the Federal Government, but it is not a good idea for senior citizens.

Mr. McDERMOTT. Mr. Speaker, the gentleman from New Jersey raises an interesting question. The Breaux-Thomas plan, when they figured out the finances of it in the Medicare Commission, only extended the life of the plan 2 years. The President, when he said we should put 15 percent of the surplus into the Medicare program, extended the life of the plan by 10 years. So the savings from this so-called defined contribution program, premium support, are really quite small, and the disruption is I think what people really do not understand.

Mr. PALLONE. Mr. Speaker, the gentleman makes a very good point, and that is, again I use the term baloney, because the advocates of this Breaux-Thomas plan are saying to us that it is going to save the Federal Government money, and I do not even believe it is going to do that, ultimately. I think the gentleman makes a very good point.

I am very supportive of the idea of using the surplus, 15 percent I guess is what the President has proposed, to shore up the Medicare program. I know that that is one thing that the Republican leadership has absolutely refused to accept, that they would use that 15 percent of the surplus.

Mr. McDERMOTT. Mr. Speaker, they never even gave us the figures on the Medicare Commission. We said, let us figure what impact would this have on the program, if we adopted the President's proposal of taking 15 percent of the surplus over the next few years and putting it into Medicare, and they would never have the staff even figure it out, because they were determined to move away from the present system and go to this premium support system where they just simply handed vouchers to everybody and then they have to make up the difference.

If we think about old people and we say well, if they have a voucher and they cannot buy what they need because of where they live is a high-cost area, where do they get the extra money? If they cannot take it out of their own pocket, they turn to their children or they do without.

Mr. PALLONE. Exactly, Mr. Speaker.

Mr. McDERMOTT. That should not be the result of what we do when we reform Medicare, is wind up with senior citizens being forced to either turn to their kids or do without, because not everyone has kids. My mother has four kids. We all live in Seattle. Everybody has a job, everybody is working. So my mother would be able to turn to us and we would gladly give her some extra money, but not everybody has four kids who are working, who can give them money. Or they may have four kids who are working, but they are trying to help their kid go to community college or whatever, and they do not have it to spare. So the middle class,

the middle age person is going to wind up saying to themselves, should I help mother or should I help my kid?

Mr. PALLONE. Which is a terrible situation to be in, Mr. Speaker.

What I see happening with this Breaux-Thomas proposal, and I think also what the gentleman is trying to do when he says modernize the current system is just the opposite, which is that we do not want Medicare, which is a promise that if one is going to be 65 and one is going to be a senior citizen, that one is going to have their health insurance covered, we do not want it to become a system now where certain people get the benefits now and others do not, depending upon their income, or that the age goes up. We want to make sure that the promise is kept, that when one is over 65, that one is going to be a part of this program, that it is going to be a universal program that benefits everyone equally.

□ 1745

I think when the gentleman suggested that he wants to modernize it, he is concerned that already over the last 20 or 30 years that some of that has sort of disappeared, because certain benefits are not covered or we have to take more money out of pocket.

As the gentleman says, let us move in the opposite direction. Let us not move, as the Breaux-Thomas bill says, towards making even greater discrepancies between rich or poor, or based on age, but let us try to make it so we modernize the system and everybody gets the same coverage, and it is universal. I thank the gentleman.

Mr. McDERMOTT. Mr. Speaker, I see our colleague, the gentleman from Minnesota, is here, and I will bet I know what he is going to talk about. He comes from an area where some of the problems we have already been talking about have really impacted. It is an area where the payments are not high enough for managed care to go in. He also has larger rural areas where there are not managed care programs.

Am I close to being right, I would ask the gentleman? I yield to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I thank the gentleman for yielding. We share a common concern. The State of Minnesota, like several other Midwestern States and the State of Washington, has had a relatively efficient low-cost health care delivery system for many years.

When the Medicare program was created, I understand that they looked at the cost of health care for the average citizen or senior citizen in the county in which the person resided and said, if you would like to have a managed care program, we will provide a sum of money monthly to the firm that is providing managed care coverage for your health care.

So these areas of the Midwest or Washington started out at a relatively low monthly rate, whereas other areas of this country that did not have a low-

cost, efficient delivery system, effective system for health care, had a high monthly average rate that seniors were paying for health care, and they were then offered the opportunity to go into a managed care program where the companies had this high, they call it AAPCC rate, as I understand it.

Mr. McDERMOTT. It is part of alphabet soup. It stands for average annual per capita cost of health care.

Mr. MINGE. Average annual per capita cost. And one thing I know that the gentleman and I have discussed several times is that over the years this discrepancy between what we experienced certainly in some of the rural areas in the State of Washington and what was experienced in other areas of this country became quite unfair.

I understand that in some areas of this country the managed care programs that seniors enrolled in would cover prescription drugs, eyeglasses, hearing aids, even the cost of transportation to the doctors' office. In our areas, we did not have that.

I am wondering, did the Breaux-Thomas Commission really look at this fundamental inequity that we have tried to end in the Medicare program, and did they have a way to end it? If they did not, is that not something that really the Commission should have undertaken?

Mr. McDERMOTT. As we see, I say to the gentleman from Minnesota, this is exactly the point. They did not have any reason to look at it. They did not care. They said, we are going to give a defined contribution. We are going to give the same amount of money to everybody in the country. If they can buy a lot of things in one place with it, they can get prescription drugs and eyeglasses, that is fine. Wonderful. If over here they cannot, well, that is the luck. If someone happens to live in a poor county, we do not care.

That is what is wrong with the defined contribution. That is why we have to stay with a defined benefit. We should define a program where if we are going to give prescription drug payments, it should not make any difference where one lives in Windom, Minnesota, or in Los Angeles, California, or Miami, Florida, or New York City, but someone should have the same set of benefits, no matter where they are. Anything less than that is not fair.

But the defined contribution just closes our eyes. It just says, I do not care. I do not see the differences. I am giving you all the same amount of money, so what are you complaining about?

Mr. MINGE. So it sounds like the discrimination that we have suffered from in our rural areas in the State of Washington would perhaps have just been flipped and we would have had discrimination in the other direction, and instead of solving a problem, we would have created another problem of discrimination among different areas of this country.

Mr. McDERMOTT. Yes.

Mr. MINGE. I am impressed with the gentleman's knowledge of geography. Actually, the community of Windom, Minnesota, is both in my district and where I have had a district office for over 6 years, and it is one of these communities that has an excellent hospital, it has doctors who are well-trained and provide first-class health care service, but at the same time the seniors in a community like that are unable, due to the current inequities in the system, of having the same level of benefits that seniors have let's say in Arizona.

One reason that this has been particularly harsh and difficult for many of us to accept or to understand is that if our more affluent senior citizens have the wherewithal to go to Florida or Arizona for the winter, they can become members of a managed care program and have all of these benefits that their less prosperous brethren who have to stay in Minnesota for that cold winter are not able to obtain.

So there is just a real disconnect when we think of trying to reform a health care system and somehow not being sensitive to the inequities of that type.

I really commend my colleague, the gentleman from Washington, for his work on the Commission. I know he came to Minnesota as part of the Commission activities, and I would certainly, with the gentleman, like to see a Medicare reform program both advocated by the Commission and embraced here by Congress, so we could chalk it up as one of the challenges that is on our plate that we really have a responsibility to address. I thank the gentleman for yielding to me.

Mr. McDERMOTT. The gentleman is welcome. I think that it is—I appreciate the gentleman's coming down and sharing his thoughts with us today, and I think that what people have to begin to look at is the specifics.

When somebody says premium support is a good idea, that sounds as if, as the gentleman says, it is a very attractive idea. Everybody gets the same amount of money all over the country. But as we know around here, the devil is always in the details, and the details of this program are, I think, the reason I wanted to come out here and talk about it, because sometimes issues go through the House of Representatives and they are sort of like bumper strips: If we can make a good slogan, then we think we understand. But if we actually look at what this program does and what they are talking about, we realize that it is not so good.

For instance, let me give one example. A senior citizen in Part B, that is the doctor's part, the doctor payments, pays a \$100 deductible. So if he goes to the doctor the first time, whatever it costs he has to pay it himself until he gets the \$100 deductible paid for, and then Medicare kicks in and covers the rest of the time.

If he goes all year and never goes to the hospital, all he would have to pay

is that \$100 deductible. Now, if he happens to get sick and goes in the hospital, the first day he is in the hospital he has to pay for, \$746. So if somebody goes and sees the doctor during the year and has 1 day in the hospital, their deductible for the whole year would be \$864.

Part of this defined contribution plan, this premium support idea is, well, that is too much, \$746. Let us cut it down to \$400. That sounds like a good idea until we figure if we never go into the hospital, suddenly our deductible has gone from \$100 to \$400, because we are going to have to pay every penny of our doctor's bills until we get up to \$400.

I do not think that is a very good deal for a lot of old people. It would be a good deal if they wind up being sick and have to go into the hospital, but if they do not, if they just go and see the doctor, they are going to wind up paying \$300 more.

Now, to figure what \$300 is, that is about 10 bags of groceries, which, remember, we are talking about old people who are living on \$8,000 a year, and we are saying they have to pay \$300 more in premiums. How can that be a good deal?

That is why what I do not like about the Breaux-Thomas program is that two-thirds of the new money comes out of the pockets of the beneficiaries. It does not come from savings in efficiency in health care delivery, but rather, it comes right straight out of the beneficiaries.

Mr. MINGE. The gentleman has raised another point that I think is certainly important for us to emphasize. That is, the gentleman talks about groceries. I know that in talking with both physicians and with seniors in my area, that often seniors are making a choice between groceries and prescription drugs.

I hear this over and over. They are amazed at the cost of prescription drugs. They are struggling with how they can find the resources to pay for this, and often they feel that they have to make a decision, are they going to obtain those drugs which are necessary for the maintenance of their health, or are they going to short themselves on the grocery side?

Those are their two big sort of inflexible expenditures from the point of view of the larger public. Neither one is really a flexible expenditure. I would like to join the gentleman in really urging my colleagues to take up this question of prescription drugs and how do we deal with it in the Medicare program, and not see the program stumble on the financial side any further. It is really an enormous challenge, and I again would like to thank the gentleman for his work.

Mr. McDERMOTT. I had an experience myself with this whole issue of prescription drugs. The gentleman reminds me of it. I had an ear problem, and I went to see the doctor and he gave me a prescription, as you get

when you go to the doctor. I went down to the pharmacist, and I know him, and he said to me, Jim, sit down. So I sat down, and I said, why are you asking me to sit down?

He said, well, this prescription that is for 2 weeks, medication for your ear, costs \$385. Now, for most people \$385 is a lot of money, and if you are one of these widows we are talking about, or the average senior citizen who lives on less than \$15,000 in income, \$385 is a lot of money.

He said, people come in here all the time, and they will stand there and they will say, well, why do you not give me half the prescription? Now, that means what they are doing is going home and taking half of the medication that has been prescribed for them. If they do not get better, they wind up having to go back to the doctor. And the doctor says, did you take the medication? They say, well, yes. But in fact they are not telling the doctor that they only took half of the prescription because that is all the money they had in their bank account or in their pocket or whatever, or they had to pay their rent or something else with the money that they did have.

This kind of dilemma for senior citizens is absolutely unacceptable, and it is why the President has taken the position that in modernizing the system as the President wants to do, first of all, he wants to put 15 percent into the program from the surplus, and secondly, he wants to have a prescription benefit.

Now, my colleague, the gentleman from New Jersey (Mr. PALLONE) raised the issue of how prescription drugs have increased in usage in medicine. When I got out of medical school in 1963, which was a couple of years before Medicare started, usually when people went to the hospital they would stay 3, 4, 5, 6 days, and if you had a hernia or you had a baby or most anything, it was not uncommon to stay in the hospital 3, 4, 5 days.

Today if you get to stay overnight you have got something pretty serious, because most things are done in 1 or 2 days in the hospital. In fact, the reason we passed a bill out here on the Floor making it absolutely the doctor and the mother's decision was that many of the HMOs had said that if a woman delivered a baby at 8 o'clock in the morning, she ought to go home at 6 o'clock at night with the baby under her arm. She was not even given one night in the hospital.

That pushing people out of the hospital has created two of the problems that we are now struggling with in Medicare. One is that prescription drugs, that is, people get pain medication and they get a variety of drugs, and they are supposed to go home and take care of it, sort of medicating themselves. And the second thing is that we wind up with lots of home health care.

Mr. Speaker, the home health care program is there because we do not

keep people in the hospital. If one keeps somebody in the hospital, my father was 90 years old when he had his gallbladder taken out. When it was taken out, he was sent home 3 days later.

□ 1800

Now, there is my mother, she is 89 years old, and she is supposed to take care of a 90-year-old man who has just had a major surgery. That is obviously not reasonable.

So we have designed a system in this country of home health visits. We have visiting nurses who come into the home and see people, maybe once, sometimes twice a day, to be sure that the bandage is changed or that the blood pressure is taken or whatever is necessary to make it possible for somebody to recuperate at home. If we did not do that, they would wind up back in the hospital at \$600 or \$700 or \$800 a day. So there is a savings in putting people out in their home. It is more comfortable. It is more pleasant to be in our own home surroundings, but we may need some additional help.

Now, that program has been used all over this country in different ways. In the State of Washington and the State of Minnesota the average number of visits for any case is about 35 visits. In the State of Louisiana it is 170 visits. Now, we may ask ourselves, well, what is different with people in Louisiana from people in Washington or Minnesota? Well, the fact is that in those States where they have these long and large number of visits, they have been using the program to keep people from having to go into nursing homes. They have been delivering long-term care in the home, using the Visiting Nurse Service.

So the Congress gets all excited that here is this cost going out of sight within home health care and they say, well, we have to stop this. So what do they do in this defined contribution program; one of the ways they save money? They slap a 10 percent copay on anybody who has a visit at home. Right now there is no copay for a home health care visit.

What they are saying is, if the hospital throws someone out as quickly as they can, gets them home, then we will start taking 10 percent out of their pocket rather than the government paying for it. So what is happening here in this defined contribution is that we are giving only so much and everything else comes out of the individual's pocket. And if that individual does not have it in their pocket, well, that is tough. And we are going to have lots of people in this country who are not going to have the capability to take care of this additional cost to them as individuals.

Now, the Congress passed some years ago a bill to give people some help if they could not afford to pay the deductibles. It is called SLIMBY. That is just another one of the alphabet soup names for a program for old people,

who do not have enough money, can go and get some help. But guess where they put that program to make it easy for old people? They put it down at the welfare office. They say to old people that all they have to do is go down to the welfare office and ask for some help.

Now, old people have got pride. Old people have worked hard all their life, they have taken care of themselves, they have paid their bills, they have raised their kids, they have paid their taxes and, at the end of life, when they cannot pay the deductibles on this program, they have to go down to the welfare office and ask for some help to pay for that.

Now, I proposed in the Medicare Commission something that I have been proposing before in the Committee on Ways and Means; that when someone registers for Social Security, and their income is known at that point, that when they are 65, if they do not have enough income to pay those deductibles, then they should be registered immediately in the program for help to pay for their deductibles. That was resisted in the commission. They left it down there in the welfare office. And I know senior citizens in my district who will not go down there because it makes them feel ashamed of themselves to have to go down and beg at the welfare office.

So if we are going to modernize this program and we are going to raise the deductibles and so forth, we have to make it user friendly for senior citizens who are living on less than \$15,000 a year. We cannot expect them to say, well, I think I will go down to the welfare office and get some help.

We teach people in this country to be independent, to take care of themselves. We value that as a country. And the people who we are talking about right now are the people who lived through the Depression. They brought this country back from the Depression. They took us through the Second World War and they took us through the Korean War. Now we are saying to them that they did not do enough then and so we are going to make them go and beg for some more help just because they do not have anything more than their Social Security.

From my point of view that is not a good system. And when we modernize it, we have to make this an automatic benefit for people who are not capable of paying for it.

Now, there is an issue that the gentleman from New Jersey (Mr. PALLONE) raised, and that is this whole business of so-called means testing. "Means" means how much money we have. When we say somebody is a person of "means", it means he has money. So what some people say about Medicare is that what we ought to do is put a means test. Everybody, let us say above a certain point, should not get Medicare. They should just buy their own health insurance because they have enough money.

Now, we can say to ourselves, yes, that makes sense; why do we not do that? Well, where do we want to put that? Do we want to say that everybody who has \$100,000 in income when they are 65, that they should buy their own insurance? Well, \$100,000 is a lot of money; right? They ought to be able to handle it. Well, maybe we are a little short on dough here in the Congress so we lower the means test down to, say, 75,000; and the next year we are a little short on money and we say, well, let us take it down to 50,000; and the next year we are a little shorter and we get it lower.

The problem with the means test is that what it does, it creates two groups of people in this country, those people who get the benefit and those people who do not. I personally oppose a means test. I think if we come into this country and we pay our taxes and we participate to the best of our ability, we ought to get the program.

I feel the same way about Social Security. I do not care how much anybody has. If they paid into the Social Security system, they ought to get their money out. They ought to get their fair share out.

The reason is, and this is a principle of both Medicare and Social Security, they are social insurance programs. Just like our fire insurance we have in this country. We made the decision, I think it was in 1759, in Philadelphia, to have the first fire department. We said, we cannot save our own homes, so let us all, all of us in Philadelphia, get ourselves together, get a horse and wagon and some barrels, some water and some ladders, and if a house catches on fire, we will go put it out.

That is a social insurance system. That is what fire insurance is. Nobody wants to take advantage of that. Nobody says, well, gee, I hope my house catches on fire so I can get back some of the money that I have paid in in taxes to the fire department or to my fire insurance plan. Nobody wants to get their money back, but we have it there so that if a disaster strikes us, we have coverage.

If anybody stood up on the floor of the House here and said, I think if an individual's house has not caught on fire in the last 5 years they should not have to have fire insurance or pay any taxes for a fire department, we would think they were crazy. We would think they had lost their mind, because we know that nobody knows whose house is going to catch on fire and that is why we have this social insurance fire policy in our pocket.

Same thing is true about roads. We figured out we could not do roads by ourselves, that we had to do them as a national program. That is what Dwight Eisenhower did back in the 1950's, was to establish a national interstate system. And so we collect all the gasoline tax and we put it out there and we take care of the highways in this country.

We do the same thing with schools. We realized that in order to have a de-

mocracy, we needed to have an educated electorate, and so we have a system of schools.

Well, the same thing happened in the 1930's, when there was no money for people to live on and there were a lot of old people who had no pensions. We said we have to have a Social Security System, and Franklin Delano Roosevelt came in this room and said, we ought to have everybody have an account, and so everybody has a number. 000-00-0000 is my number. And everybody has an account. We put in our money every month, and when we get to be 65, there it is for us.

None of us knows how rich or how poor we are going to be when we get to be 65. We all hope that we will be very successful and be able to take care of ourselves without that Social Security money. But when we look at senior citizens and realize that 50 percent of senior citizens live on \$15,000 or less, which is about the Social Security benefit in this country, we realize that for half the senior citizens, when they get to the end of life, that is all they have. They did not know that when they were 15 or 20 or 25 or 40 or whatever. But they put their money in, and when they got there, they had it.

The same is true about Medicare. That is why this is such an important program. There is a fascinating fact about this whole program which I think really drives it home to me as a physician, and I have seen it. We spend 70 percent of the money on 10 percent of the people, 10 percent of the senior citizens in the Medicare program. And none of us knows whether we are going to be a part of that 10 percent. That is why we have to protect the Medicare program with a defined benefit for everyone.

SOCIAL SECURITY REFORM IN THE 106TH CONGRESS

The SPEAKER pro tempore (Mr. HEFLEY). Under a previous order of the House, the gentleman from Minnesota (Mr. MINGE) is recognized for 5 minutes.

Mr. MINGE. Mr. Speaker, in the last week there have been some very disturbing announcements about the status of Social Security reform in the 106th Congress, and I would like to express my severe disappointment that the majority leader in the Senate and possibly the Speaker of the House has backed away from a commitment that we ought to have here in Congress to make Social Security reform the number one priority for the 106th Congress.

I do not think that there is a Member of this institution, nor are there many in this entire country, who is not aware of the importance of addressing the financial crisis that is looming for Social Security unless we take steps to change the program and make it financially secure for the foreseeable future.

We can do this by modest changes here in 1999-2000; changes that we could implement over several years. They

would not be painful if they are implemented in such a fashion and would share the cost among a generation or more of Americans. But if we continually postpone the reform effort, it will become more expensive, more contentious, and more of a crisis situation, which will be inadequate and enormously controversial when it occurs.

I do not think it is right that we in Congress point our fingers to the White House and say the President has not provided enough leadership. We here in Congress ought to be providing leadership on our own. We should not do it for fear of criticism. Certainly that is why we are elected, to make some tough decisions. And if by voting for and implementing Social Security reform it is more difficult for us to be elected the next time around, that too is something that we should face up to.

Tragically, there will always be another election. We never will reach the millennium, so to speak, when we have a free shot at reforming Social Security or something else without the controversy that accompanies the task.

I would like to urge that the majority leader and the Speaker work together with the minority leader in this body and the minority leader in the Senate to appoint a bipartisan group to come back to this body this summer with a Social Security reform package. It is certain to have elements in it that are not acceptable to one group or another but, on the other hand, at least we would be moving ahead. Such a bipartisan group ought to confer with the White House and attempt to develop a proposal that would have the support of the President.

I do not think today is too late. I do not think that the issue has somehow subsided. Yes, Kosovo has dominated the news, but people throughout America realize the importance of Social Security reform.

□ 1815

I would also like to emphasize that as we begin consideration of supplemental appropriations bills for the Kosovo crisis that we keep in mind that our historic pattern of using the Social Security surplus to pay for other programs will probably end up becoming a necessity in 1999.

Many of us on both sides of the aisle have identified this as an abuse that we can no longer tolerate. We ought to stop it in 1999. It ought to end now. No more borrowing from the Social Security trust fund for other Federal programs.

The budget resolution that we have adopted makes that point clear. Unfortunately, it is for the year 2000. Let us implement it now in 1999.

I have worked with my Republican colleague, the gentleman from California (Mr. HERGER), to propose that this practice be terminated. And I am going to be meeting with him again and proposing that we take steps that would be effective to make sure that, here in 1999, we protect this Social Se-

curity trust fund from any further raids.

We need to ensure, number one, that Social Security reform move ahead promptly; and number two, that we protect the trust fund from any further use.

ILLEGAL NARCOTICS AND SUBSTANCE ABUSE IN AMERICA

The SPEAKER pro tempore (Mrs. BONO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes as the designee of the majority leader.

Mr. MICA. Madam Speaker, my colleagues, I am pleased to come to the floor again tonight and will be coming to the floor each and every week I get the opportunity to talk about a situation that I think is our number one national social problem, and that is the problem of illegal narcotics and substance abuse in our Nation.

In this Congress, as many of my colleagues know, I was assigned a responsibility to chair the Subcommittee on Criminal Justice, Drug Policy, and Human Resources of the Committee on Government Reform.

With that responsibility, I inherited a position that was really held by the former chair of the national security subcommittee on which I served, and the chair of that subcommittee was the honorable gentleman from Illinois (Mr. HASTERT), who is now Speaker of the House.

I may say at this time that the gentleman from Illinois (Mr. HASTERT) helped put back together our national effort to begin to address the problem of drug abuse, illegal narcotics trafficking, and address in a very serious fashion for the first time since this administration took office the problem of illegal narcotics that face our Nation and our community. So I am pleased to inherit that responsibility.

I am also troubled by that responsibility because the problem is so enormous. The scope of this problem, my colleagues, goes beyond anything we see on the nightly news. I know the attention of the Nation and the Congress and all Americans has been focused on the tragedy in Colorado; and certainly that was a tremendous human tragedy, with a loss of some 15 precious lives.

I know also, my colleagues, that the attention of the Nation and the Congress is focused today and tonight and will be this week on the situation in Kosovo, in harm's way. But my colleagues, a very, very serious situation faces this Congress, and that is what to do about the rising use of illegal narcotics, particularly among our young people and among our population across this Nation.

And it is not just a question of use. If there was not any damage, if there was not any result, people may very well turn their heads the other way and ignore the problem. But, my colleagues, the problem is absolutely enormous.

Over 14,000 and possibly up to 20,000 Americans, depending on whose statistics we use, last year lost their lives in our Nation as a result of drug-related causes. This is an astronomical figure.

And I have said on the House floor since this President took office, approximately 100,000 Americans, the population of some of our larger cities in this country, have died at the hands and through the use and abuse of illegal narcotics and the tragedy that it has brought to their lives and to their families.

So tonight I am back again, with that responsibility, seeking answers; and tonight I plan to focus a bit again on the history of how we got into this situation and review that. Because I think it is important that we learn from the mistakes of the past, we learn from the mistakes of the Congress, we learn from the mistakes of this administration, we learn from the mistakes of this President and we try to improve on what we are doing both in policy and legislative action.

It is important, I think, also that we focus beyond the past at what we are doing as a Congress now, what programs have been instituted. I will talk about those briefly.

And then I want to talk about another subject that fits into the question of interdiction and stopping illegal narcotics in a cost-effective manner before they ever reach our shores so that we limit the sheer quantity and supply of illegal hard narcotics coming into the United States of America. And that subject will deal tonight with the question of Panama and this administration's failed negotiations, this administration's failed planning and this administration's complete lack of response to a situation that confronts us in the next few days.

In fact, May 1 we must stop all flights from Panama and we are giving up all of our assets in the Panama Canal. I want to talk about how that affects our ability to conduct and advance surveillance, how it is going to cost the American taxpayers a huge sum of money to deal with the failed negotiations again of this administration.

Incidentally, I will be holding a hearing next week on the Panama Canal situation as it relates to the narcotics trafficking issue. But later in this month I will be holding a hearing on the question of drug legalization.

Since I have taken over as chair of this subcommittee, I have received many requests to look at decriminalization, legalization, and other alternatives to incarceration. And I think that that subject deserves a review by the Congress, a serious study, and an examination as to how we can better address this growing problem of the people who are affected through the problems of trafficking or use of illegal narcotics. So those are some of the topics I plan to discuss tonight.

I would like to go back to the situation for a minute. I hate to repeat this.

But I have to review how we got in this situation. I think history records it first, so the American people pay attention to it second. And thirdly, that we do not repeat these mistakes.

The first thing that was done was by this administration and this President was to in fact, basically, throw out the window all of the programs that had been instituted back in the 1980s, first by President Reagan and then by President Bush, to address a problem that we had with the cocaine epidemic and some hard drugs coming into the country at the beginning of the 1980s.

Many programs were put into place and cost-effective programs: interdiction, eradication of illegal narcotics at their source in the country, interdiction as the drugs left that source country, use of the military, use of other United States assets to try to stop illegal narcotics coming across into our borders and increasing the supply of hard drugs available.

Each of these programs in 1993, when the President controlled, of course, the White House as chief executive, had complete control and wide margins of majorities in both the other body and the House of Representatives.

What took place, again, was an error we should not repeat. The first thing he did was to cut the drug czar's office and budget dramatically. The next thing, and I think one of the most damaging things and something we are really feeling the ravages of across our Nation today, is our young people.

Our young people are smart, and when our young people hear a leader of the United States or someone who wants to be leader of the United States to say it just does not matter, they can do these things, something is wrong.

This President appointed a surgeon general, the highest health officer in the United States of America, to an important position of responsibility, Joycelyn Elders, who came up with this policy of just say maybe.

So we fail to have leadership from the President. We fail to have leadership from our chief executive medical officer of the Nation. And I think we are still suffering from that lack of direction, lack of message.

The message during the Reagan administration was very clear, "just say no." It was very simple but it was very direct, and even our young people understood it. But this just say maybe and then cutting the programs that were instituted, again under President Reagan and President Bush, to cost-effectively stem the tide, the shear tide, of illegal hard drugs coming into the Nation, these things were cast aside.

The military was taken out of the war on drugs. The Coast Guard's budget was cut dramatically, which protects our borders. I know in Florida we saw the Coast Guard budget dramatically cut around Puerto Rico. And that directly affected Florida, the citizens of Florida, because drug dealers started using Puerto Rico, without that protection, as an entry point for illegal narcotics.

Our State has been flooded, particularly with heroin, and we have experienced in central Florida and throughout Florida record deaths weekly through the use of heroin which is coming through that route.

Moreover, we saw something happen that should shake up every Member of Congress and every citizen of this country. The use of heroin by our teen population from 1993 to 1997 jumped 875 percent, use by teens of a very hard and deadly drug.

What was different about some of the narcotics that came into 1980, including marijuana, heroin, cocaine, was that in those days and that decade we had a very low purity level. The heroin that we have been seeing come into the United States both from Mexico, from Colombia and transited through other areas is of incredible purity, sometimes 80, 90 percent pure. Cocaine has also increased. And marijuana's potency has also increased.

So, particularly with heroin, we have seen young people mixing it with alcohol or some other substance or first-time users getting a dose of these high proportions of purity and not recovering, dying the most horrible deaths imaginable from their use and sometimes experimentation and addiction to heroin.

□ 1830

Madam Speaker, the cost of all this is absolutely astronomical. We are putting together right now a bill that will be close to \$18 billion. I might say that this new majority, the Republicans, again under the direction of the gentleman from Illinois (Mr. HASTERT), put together all the programs that were dismantled, again the cost-effective programs of interdiction, close to the source, and first of all eradication at the source, very cost effectively. A few millions of dollars do an incredible amount of good there.

I use as an example what has taken place in Peru and Bolivia in the last couple of years. This new majority has worked with the leaders there, President Fujimori and President Hugo Banzer of Bolivia. We have, in fact, dramatically decreased the production of cocaine from those countries. Unfortunately, this administration has had a policy of trying to stop any aid, assistance, resources, helicopter, ammunition, anything to fight in the war on drugs, to Colombia; and Colombia has now become the major producer of heroin entering the United States. And also it was not in 1993 on the charts as any type of a producer of coca and is now the largest coca and cocaine producer in the world.

So the policy of this administration, in fact, has caused us to fail in a very important area, that is, Colombia, as a direct result of policies of this administration.

The second area where we are seeing actually the majority of hard drugs transiting into the United States is Mexico. I have spoken many times

about the problems with Mexico, in absolute frustration. We have given Mexico trade assistance. We have backed them from a financial standpoint in all of the international financial agencies. We have been a good ally. We have opened up our border from a commercial standpoint. What we have gotten in return is a flood of drugs. Again a policy of this administration has been to certify repeatedly Mexico and its officials as fully cooperating in our effort to eradicate the production of illegal narcotics and the trafficking of illegal narcotics. By any measure, Mexico has failed to assist and fully cooperate as required under Federal law. But again this administration repeatedly certifies them, fails to hold their feet to the fire.

This Congress requested Mexico, time and time again, to aid in some simple request to curtail the drug trafficking. First we asked for extradition of major drug officials. Two years ago this month, this Congress passed a resolution by a rather wide margin, and we find that to date not really one major drug trafficker who is a Mexican national has been extradited from that country. We have asked Mexico to sign a maritime agreement so we could stop some of the drugs that are transiting through the seas off the coast of Mexico and dealing with Mexican nationals, and still they have not signed a maritime agreement. We have asked Mexican officials again to allow our DEA agents to protect themselves, actually to increase the presence of our DEA. We have a very limited force down there working with Mexican officials. Again these requests have been denied. Radar to the south to keep drugs coming from Colombia and Panama, transiting through the isthmus and up through Central America, again almost no action.

And then we have asked for enforcement of laws that the Mexicans have passed and actions against illegal narcotics traffickers in Mexico. What have we gotten in return? Our customs officials uncovered one of the most incredible banking scandals in the Western Hemisphere. It involved Mexican officials. This sting operation was conducted with full knowledge of the highest Mexican officials. Unfortunately, sometimes we cannot give them the entire story because corruption goes from the bottom to the top in that country, but they were aware of what was going on. Did they fully cooperate as required by our law to receive trade, aid, financial benefits? No, in fact they threatened to indict our United States customs officials who were involved in that operation.

Then if we look at the hard facts about Mexico and what it has done in the last year to deserve, again, extended United States trade and aid benefits and financial support, all the things we give them, what have they done? It is almost pitiful. The seizures of cocaine are dramatically down, over 30 percent in Mexico last year. And

hard heroin and opium, also dramatic decreases in seizures by Mexican officials. The number of vessels that are seized has also decreased. We have seen the takeover of the entire Baja Peninsula which is now raging with narcoterrorists, 315 killed last year, some horrendous murders where they line up women and children and gun them down in these drug wars; and the Yucatan Peninsula where our President went to meet with President Zedillo of Mexico. Totally corrupt. The Governor, we were promised, of the Yucatan Peninsula would be arrested, would be confined the minute he left office. We were told that they were not going to arrest him before he left office because Mexican law gives him immunity and it is difficult to prosecute. So they were going to go after this guy after, in fact, he left office. But our latest report is that he fled, the Governor of the Yucatan Peninsula, in Quintana Roo, left several days before he left office. Some reports have him on an island off of Cuba at this time.

So that is the kind of cooperation that we get really dirt kicked in our face. And some people turned a blind eye to it because of the trade relationship. Some people do not want to upset the Mexican Government.

What was astounding was we recently held a hearing on this subject and we will also be holding a hearing, I believe the week of the 11th of May for the information of my colleagues, on the situation in Mexico. But the last hearing we held, we had testimony of another Customs agent who testified that 1 out of 4 major Mexican generals, one Mexican general was trying to launder \$1.1 billion. Where does a Mexican general get \$1.1 billion, I ask?

So this is what we get in return. This is the policy of this administration. Unfortunately it has created a disaster. The disaster, as I said, will cost us over \$18 billion, direct costs that we will be funding in the next few months.

The cost to the American society is estimated at a quarter of a trillion dollars. Drug and substance abuse costs the taxpayers, the citizens, all Americans, a quarter of a trillion dollars, \$250 billion in social costs when we add in all the lost wages, when we add in the welfare, the social payments, the cost of the criminal justice system, the incarceration, not to mention the heartache and the deaths that have been incurred by so many by this tragedy.

So I wanted to review and I will continue to review the past errors of this administration. I do want to also say that I think it is important that we as a new majority be responsive to the errors that were made and correct them. I think we have done that.

Last year we have added over \$1 billion, and I think in very cost-effective areas, to increase education almost \$200 million, and that program is now underway. That program requires public service announcements which you may or may not be seeing on your tele-

vision or in your media. Both newspapers and other forms of media should have that proposal.

I was concerned that our education effort was somewhat diminished in the past era of this administration. I was concerned that during, again, their control of the Congress and also the White House, that they did not pay proper attention to what should be done. I did propose, almost 4 years ago, legislation that would require an increase in public service announcements paid for really by those that hold Federal communications licenses. Each year if we look at it since 1990, those folks have lessened their public commitment, their public trust responsibility in my opinion, and should be doing more rather than less.

The White House proposed as an alternative to spend a rather large amount of money. We ended up with a compromise. For every one of the \$190 million that the Congress has appropriated, we must have donated the equivalent time or resources towards these public service announcements and this education effort.

That is a small part of everything we have done. We have restored the cuts in the Coast Guard, we have restored the military's involvement in the interdiction effort. And most importantly and most cost-effectively, we are going back and making certain that the source countries, Bolivia, Peru, Colombia, Mr. Speaker, 99 percent of the cocaine comes from Bolivia, Peru and Colombia that is entering the United States. It is a no-brainer to use a few dollars to stop these drugs at their source from getting into the United States and penetrating our borders. So we can do that very cost-effectively, those things.

Again, the new majority has restored those programs and getting the assets to Colombia so that the new President, in working with General Serrano, the head of their national police force and others, that we can make a difference where those drugs are being produced and at their source, again so cost-effectively.

I believe that it is important, as I said tonight, that we also focus on the situation of those drugs that are coming in in huge quantities into the United States, and what is happening to our efforts to curtail those narcotics, again, source country I think is so important, and interdiction before they get to our borders.

Something that has been brought to my attention and I think should be on the radar screen of every Member of Congress and every citizen this week is the date of May 1. I say May 1 is an important date, because May 1 will be the day that the United States of America will no longer be able to have any flight operations in the Republic of Panama or the Panama Canal or at any of our bases there. This really is the result of an incredibly failed negotiation by this administration that most people have not paid much attention to.

But the United States is about to turn over the keys and lower our flags on our bases and facilities in Panama as part of the Panama Canal transfer.

By the end of this year, the United States military will have returned property consisting of about 70,000 acres, not to mention the improvements thereupon, including one very expensive canal, plus 5,600 buildings. These assets are estimated with a value of \$10 billion. So what President Carter started, President Clinton is finishing with a bang, that we have in negotiations totally lost any rights, any ability to have any presence in Panama.

Now, that might not be a big problem, Mr. Speaker, but, in fact, all of our forward-operating operations for the war on drugs, for our international surveillance over these areas I just described of Colombia, Peru, Bolivia where these drugs are coming from, from sources, not to mention where they are being transited from, every bit of our forward observation locations, every one of those and our ability to launch reconnaissance flights from there are ending this week, May 1.

□ 1845

Again, it is incredible that the negotiations which the administration and State Department and others said were coming along, were coming along, fell on their face. It was not until we took a congressional delegation down there several months ago to ask the status that we found out there were not even interim agreements.

In the past few weeks the administration has scurried and has managed to put together several interim agreements. Let me show you what we are facing with this situation.

All of our operations have been located, again, in surveillance on illegal narcotics production and trafficking from Panama. To deal with this situation we had hoped that the administration would negotiate some agreements with Panama to continue launching these flights there, and we have conducted annually some 15,000 flights there. We had 10,000 troops; we are down to 4,000 troops, and they will soon be out of that area and unable to conduct these flights or these operations.

Now, in addition to losing the \$10 billion in assets, the buildings, the canal and a little bit of pride, what is absolutely incredible is the taxpayers are going to foot the bill to relocate these operations to a very big tune, and that is going to be \$80 to \$100 million dollars on an interim basis. Madam Speaker, this is so disorganized that they really do not know where they are going to house the folks who serve this country who are responsible for these flights.

But scary is if we look at this chart, this chart shows the ability of our operations, our forward operations, to cover the areas. If we took 100 percent as what we are covering right now for surveillance and observation, come the

end of this week we may have just an incredibly reduced capability even with the interim agreements that are being signed with Aruba, and Curacao and Ecuador; we may at best some time in May get up to 70 percent, and even after we spend the \$100 million, we will be lucky if we get to 80 percent.

So, we have gotten ourselves kicked out of the Panama Canal, lost our assets that our taxpayers have helped contribute, again, buildings and resources there, and we have also gotten our advance international narcotics Western Hemisphere forward surveillance operations and all flight operations canceled.

Most folks did not pay attention, but several weeks ago we turned over the keys to our naval operations, and that brings to mind something that I want to bring before the Congress, the House, tonight, and that is my concern about what has taken place, and I learned that in a meeting with our officials and also with others who have been involved in observing what is going on in Panama.

The situation in my estimation has the potential for a future disaster. This administration allowed our naval bases, former naval ports, of course to disappear, and the two ports in the Panama Republic have now really been turned over to others, and to describe what has taken place I want to read from an article that Robert Morton, and I do not want to say this, I want someone else to say this; but let me tell my colleagues what has taken place and quote from Robert Morton in an op-ed he did March 4, 1999:

"The Clintonesque government of Panama in effect sold Chinese rights to two prime, American-built port facilities that flank the Canal Zone both to the east and the west. The 50-year contract awarded Balboa, on the Pacific side, and Cristobal, on the Atlantic side, to a giant Hong Kong shipping firm, Hutchison Whampoa, Ltd. By any analysis this company, headed by Li Kashing, is an interesting operation."

And he goes on to report "Hutchison has worked closely with the China Ocean Shipping Co.," and that is COSCO, which we have heard about before, and let me go on, on shipping deals in Asia even before Hong Kong reverted to Beijing's control in 1997. COSCO, you may remember, is the PLA, and the PLA," is the Chinese Army, "PLA-controlled company that almost succeeded in gaining control of the abandoned naval station in Long Beach, California," and there was quite an uproar about that.

"Li Kashing has served on the board of directors of China International Trust and Investment Corp., a PLA," again, Chinese Army, "affiliated giant run by Wang Jun whose name may ring a bell. Yes, the very same Wang Jun enjoyed coffee at the White House in exchange for a modest donation to the Clinton-Gore 1996 slush fund," and let me continue here.

"As retired U.S. Navy Admiral Thomas H. Moorer testified before the

Senate Foreign Relations Committee on June 16, 1998, 'My specific concern is that this company is controlled by the communist Chinese. And they have virtually accomplished, without a single shot being fired, a stronghold on the Panama Canal, something which took our country so many years to accomplish.'" That is one quote that I thought that the Congress should have on the record.

Another observation that I found that I thought was interesting about what is taking place in Panama was really expressed by a Panamanian last year who was running for president, and there is an election in Panama coming up. But this presidential candidate, and I will quote his comments and his concerns, and this is approximately a year ago:

A Panamanian presidential candidate has asked the U.S. Justice Department to investigate China's activities around the canal and the possibility of a quid pro quo between the Clinton administration and the Asian Communist power.

"Concerned about possible executive branch complicity and China's gatekeeper status at the Panama Canal, Panamanian presidential candidate William Bright Marine," and Marine is a dual U.S.-Panamanian citizen who was born and raised in the Canal Zone, I might add, but according to him, he wrote to the Justice Department on May 4 last year and said, "I have yet to speak with one single American who is not outraged at the fact that the Clinton administration has allowed Communist China to obtain control of U.S. ports, U.S. basis, and functions of the Panama Canal. They today, effectively control access to the Panama Canal."

This agreement could not have happened without the consent of the Clinton administration. The executive branch has been copied by my correspondence regarding communist China dating back to 1996. They cannot claim ignorance.

And just one more word on this from a retired Lieutenant General, Gordon Sumner, who also observed recently, and let me quote his quote:

"The deal grants a 2-year waiver of labor laws and veto rights over the use of abutting properties, in clear violation of the Panama Canal Treaty." A Hutchison lawyer by the name of Hugo Torrijos was also the head of the port authority that awarded the contract.

So these contracts have been let, these ports are already lost, and I am told confidentially and I am also told publicly that these tenders for control of these two ports were very corrupt tenders and, in fact, also greased with Red Chinese influence. In fact, Red Chinese influence in Panama is growing in many ways. Recently the Bank of China extended a 15-year, \$120 million loan to Panama at 3 percent interest to finance the government's investment program.

So we have a situation where the Panama Canal, an important strategic

asset to the United States, 13 percent of all the shipping, the international shipping and commerce, flows through the canal, and it has an incredible amount of trade that relies on the use of the canal, and this again this Saturday will be second turning over of the canal and its properties to Panama and a prohibition against any further flights by the United States in our war on drugs. This, in fact, is going to strain our Department of Defense's ability to keep a watchful eye on drug shipments and transit routes and will really hurt our efforts in eradicating drugs at their source, which again is, I believe, so cost effective.

Either more assets will be needed to provide the same relative level of coverage, or we are trying to do the same job with again a limited number of coverage areas, which I showed on the chart, and we will greatly diminish our ability to cover those areas that were previously cost effective. They were covered by our bases out of the Panama Canal and Panama Canal Zone, and again the taxpayers are going to pick up the bill for this \$100 million to relocate these operations which will not be by any measures as effective, at least at the beginning on the short term will be somewhat disorganized, because this administration again has not completed any long term agreements, only short term.

And I am told that the next round of expenses that we can expect, in addition to this \$100 million expense, will be a tab for up to \$200 million for repairs and for improvements in the Ecuador situation. Even the Ecuador agreement, which is an interim agreement, is only a short-term agreement, and we will face a serious problem because that government right now of Ecuador and that country is undergoing some very difficult political and domestic turmoil.

It is sort of sad to think about it and reflect on it. President Bush about a decade ago sent our troops into Panama, and why did he do that? To stop drug trafficking, to stop the chief executive of that country, General Noriega, in his tracks as he was charged with illegal narcotics trafficking, money laundering and other offenses dealing again with the illicit drugs. Our troops went in there, our troops fought, wounded, and others lost in that effort, but we made an effort. We took that country back.

Now that was the approach of the previous administration to deal with a corrupt chief of state and others who were responsible for, again, illegal narcotics trafficking.

□ 1900

General Noriega still sits in jail in the United States for those offenses. This is the policy of this administration: to fail in a negotiation to maintain any of the assets, to maintain any of our locations or capability to launch a drug effort.

What concerns me tonight, my colleagues, is we are looking at some potential dramatic costs and disaster for the future. One of the things that the United States did when they went into Panama was to really help dissolve the military organization which was corrupt, which was the tool of General Noriega, and also involved in some of this illegal and corrupt activity.

We have in fact dismantled most of the military in Panama, leaving them with a weak national police force. What concerns me is that Panama has had on its border and within its border the FARC organization and a Marxist rebel group which are conducting operations, both from Panama now and also in Colombia. As they see the opportunity for corruption to take hold, as we lose control of any assets, any military presence in the Canal Zone, I think we are creating a vacuum, and I think some of these rebels from the south, again, will move further into Panama and create a very unstable situation.

So we may be back in Panama at great cost, at great sacrifice, in the future, but it is in fact the failed negotiations, again, that have gotten us into this situation, into this cost and into this potential for future activity by these Marxist guerrillas who are already located in Panama and, I think, again will take advantage of this.

Panama has always been a major narcotics route and it always will be because of its location as an isthmus and as a route linking South America and Central America and North America. Again, I believe that we are going to pay a very high price in the future by the decline of our ability to conduct advanced surveillance operations from the location we have had.

Panama historically has had a notoriously corrupt political class, and, again, we are faced with only a small police force to deal with this impending situation with the departure of the United States forces. Both the country and the canal, in my estimation, are in danger, and we are about to turn over this entire operation at great cost and great loss to the taxpayer. We will hear more about this in the hearing that we will be conducting next week as that action takes place on May 1.

I also want to just talk briefly tonight about the national debate that is raging on the question of use of illegal narcotics in this country. I said earlier, as chairman I have pledged to hold a hearing and will do that, I hope, later this month on the question of legalization and also decriminalization of illegal narcotics.

I myself do not favor that action by our government, by our Congress. In fact, what I think from what I have learned since taking over this responsibility and my past work on this issue is that sometimes tough enforcement, tough eradication, tough interdiction, does in fact work. I welcome the opportunity to have this debate before our subcommittee, but I must say that,

again, all the evidence I see points to the contrary.

Let me just, as I may in closing, comment on what I have learned about the question of tough enforcement versus legalization. I have here a chart, and I will put it up here for a few minutes, and it is narcotics arrest index crime comparison for New York City.

This chart dramatically shows as the numbers of arrests for narcotics offenses increased, that in fact the incidence of crime dramatically was reduced. This is pretty dramatic, and it covers the period from 1993 to 1998 under the regime of Mayor Giuliani. So when drug arrests are enforced and executed, in fact crime goes down. The proof is in this chart and in these statistics, and I think is not refutable.

I would like to compare that. I got this chart from Tom Constantine, who is the United States Drug Enforcement Administrator. He looked at New York and saw a dramatic decrease in crime in that city. Then, by comparison, he looked for a city which had a more liberalized philosophy and tolerance of drug use and programs to provide alternative substances to drug users.

A great example, of course, is Baltimore. Baltimore in 1950 had a population of 949,000, and it had an addict population of 300. In 1996 it had a population which was reduced down to 675,000. It had 38,985 heroin addicts. Absolutely startling statistics. Again, a policy of liberalization, not the tough enforcement. New York's statistics are absolutely dramatic, not only the crime index that I showed you, but the loss of lives.

Let me, if I may, put up as a final exhibit this chart that shows the numbers of murders in New York City in 1993; nearly 2,000, 1,927. In 1998, I believe it is a 70 percent reduction, 629.

Therefore, I think that the question of legalization will be interesting. The question of decriminalization will be interesting. I think we do need to look at some other ways rather than incarceration for so many individuals who have ended up in our jails and prisons, nearly 2 million Americans at this point. But the facts are, my colleagues, that tough enforcement does work.

Madam Speaker, tonight I have had the opportunity to again raise before the Congress and the House what I think is our biggest social problem facing this Nation, 14,000 to 20,000 drug-related deaths last year across our land, hundreds of them across the district that I represent, with heroin, just tragic deaths, cocaine and other hard drugs that have taken their toll, particularly among our young people and across this Nation at great loss, not only in dollars and cents that the Congress must expend and public policy that demands, but also the incredible human tragedies.

I cannot describe how difficult it is to face a parent who has lost a son or a daughter in a drug overdose. I cannot describe the agony that they as a family must experience, to lose a loved one to this tragedy.

So as we focus on all the other problems, we cannot forget, again, what I consider is the major problem facing the Congress and this Nation, the social problem. I do feel confident about learning from the past, as I said, not making the mistakes of the past, putting our money on programs that work, that are cost effective, looking at some alternatives. And I welcome those suggestions from my colleagues and others that are interested in this subject so that we can do a better job for all Americans, and particularly for young Americans who are the biggest victims today of this epidemic facing our land.

Madam Speaker, I thank you for the opportunity to address the House tonight to talk about the subject of illegal narcotics and drug abuse.

CHANGING U.S. POLICY ON CUBA

The SPEAKER pro tempore (Mrs. BONO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 60 minutes.

Mr. DIAZ-BALART. Madam Speaker, distinguished colleagues, as I grieved along with the rest of America this last Sunday, this weekend, about the senseless bloodshed, the condemnable violence against innocent victims last week in Littleton, Colorado, and my heart goes out to the victims and their families, I was reading some news reports from various wire services. I noted two news reports that I placed copies of in my files.

One was titled "Portugal Concerned Young People Will Forget Coup of 1974." It is an Associated Press wire.

"Bloodless Action Toppled Dictator, Brought Democracy. Lisbon, Portugal. The coup was swift, bloodless and effective, so smooth and neat that as Portugal marks the 25th anniversary of the Army coup that brought it democracy, some citizens fear it is at risk of being forgotten. An older generation that lived under dictator Antonio de Oliveira Salazar's heavy hand, proudly recalls the courage of the dissidents and the outpouring of joy when disgruntled Army officers led the coup that toppled the dictatorship."

The article went on, "The coup paved the way for the country, Portugal, to join the European Union in 1986, a coming of age that accelerated the pace of change as development funds poured in and Portugal scrambled to make up for lost time. Portugal crammed into 10 years social and economic development that had taken other countries decades to accomplish."

Another news wire that caught my eye, and I filed it, read, "Two Bills to Seek End of Cuban Embargo. Senator CHRISTOPHER DODD, Democrat, Connecticut, will file a bill this week jointly with Senator JOHN WARNER, Republican, Virginia, seeking an end to the embargo in Cuba. At the same time, Representative JOSÉ SERRANO, Democrat of New York, will file a similar bill in the House," DODD said. DODD

made the announcement Friday as the keynote speaker during the 17th Annual Journalists and Editors Workshop on Latin America held in Miami, Florida. "The time has come to lift the trade sanctions in Cuba," DODD said, adding that the embargo has been ineffective, counterproductive, inhumane and a failure.

□ 1915

According to DOD, the 4-decade-old embargo has not yielded the result it intended.

I found an interesting contrast in the two articles, because during the decades-long dictatorships in Portugal and in Spain, or during the dictatorship of the 1960s and the 1970s in Greece, no one ever complained that the European Union, which was then known as the European Community, made it absolutely clear that its doors would remain closed, remain airtight; that there could be no conceivable entry into the European Union by Spain or Portugal or Greece until they were democracies. No one ever complained.

No legislative or diplomatic initiatives to say, let Spain and Portugal and Greece in, were ever initiated. No one filed bills in any of the democratic parliaments of Europe saying the Olivera Salazar regime in Portugal has lasted 50 years or the Franco regime in Spain has lasted 40 years; our policy of isolation has failed. Let us end their isolation, because they have lasted so long. No, no one ever filed bills or initiated initiatives such as those.

On the contrary, during the last year of Franco's dictatorship there was a mobilization in the international community to reimpose a blockade such as the one that the United Nations had imposed on Franco decades earlier. And at the time of Franco's death in 1975 in Spain, that posture, similarly at the time of the coup referred to in this Associated Press article in Portugal in 1974, that posture, that policy by Europe was decisive in the political openings and democratic transitions that took place in those countries that had long been oppressed by dictatorships.

Political parties were liberated. Political prisoners were liberated first. Political parties were legalized. Long-term exiles, those who had survived, were able to return. Along with the legalization of political parties came the legalization of the independent press and independent labor unions, and free elections were authorized, they were then organized, and then they were held. In other words, freedom returned.

That precisely is the goal of our policy with regard to Cuba. That is why we maintain a trade and tourism embargo on the Cuban dictatorship. That is why we deny the U.S. market to the Cuban dictatorship, a regime that has kept itself in power through terror and through repression for 40 years. Because first, we believe that it is in the national interests of the United States for there to be a democratic transition in Cuba. My colleague, the gentleman

from Florida (Mr. MICA), who was just talking about the narcotics trafficking problem in this hemisphere, how for example the Mexican governor of the province of Quintana Roo, the Yucatan Peninsula, has just sought refuge. Just before he was about to be arrested for being a major drug trafficker, he sought refuge and he is in Cuba today, as is Robert Vesco and over 90 other fugitives on the FBI's Most Wanted List.

So we believe for many reasons that it is in the United States' national interest for there to be a democratic transition in Cuba. Second, we believe that just as in Europe, in the cases of the democratic transitions that occurred in Spain or Portugal or Greece, or in the transitions that took place in South Africa or Chile or the Dominican Republic, it is absolutely critical that there be some form of external pressure for a democratic transition to take place in Cuba once the dictator is no longer on the scene. Either because, like in the case of Franco in Spain, the dictator dies, or if it occurs through a coup, for example, like in Portugal, or by way of a coup followed by the death of a dictator, if it occurs as in Romania. However it occurs, whatever way it occurs, at the time of the disappearance from the scene of the Cuban dictator, that is when it will be absolutely critical for the U.S. embargo to be in place as it is today, with its lifting being conditioned, as it is by law, on three fundamental developments in Cuba.

Number one, the liberation of all political prisoners. Number two, the legalization of all political parties, independent labor unions and the independent press. And number three, the scheduling of free, internationally supervised elections. The exact same conditions that brought about the democratic transitions in Portugal and in Spain and in South Africa, and in Chile and in the Dominican Republic and in so many others.

At the time of the disappearance of the dictator in Cuba, the U.S. embargo, with its lifting being conditioned on those three developments, as it is by law, will constitute critical leverage for the Cuban people to achieve those three conditions. In other words, for them to achieve their freedom, like the South Africans and the Spaniards and the Chileans and the Portuguese and the Dominicans achieved theirs during the last four decades.

It should not seem that complicated. Wherever there has been some form of external pressure, there has been a democratic transition. Where there has been acquiescence, financing, trade, oxygen for the regimes such as in China, there is no democratic transition. It is very simple.

So when we see some asking for an end to the embargo against Castro now, before the three conditions, we have to then ask which of the three conditions do the Cuban people not deserve? Do they not deserve the liberation of all political prisoners, the legal-

ization of political parties, the press, labor unions, or do they not deserve free elections? Which of the three conditions do the Cuban people not deserve? We must ask those who want to lift the embargo now, unilaterally.

There is another question. Why else, why in addition to the ethical reasons, in addition to the profound immorality of sitting by while our closest neighbors are ignored year after year after year, while they are oppressed year after year, decade after decade, by a degrading and humiliating military dictatorship that has implanted a system of economic and political apartheid against its own people. A system where people are thrown in prison for their thoughts, where refugees are killed for leaving the country without permission, the most glaring, horrible example being July 13, 1994 where a tugboat, an old tugboat full of refugees was systematically attacked and sunk, and over 40 women and children, along with some adult men, were murdered, over 20 children were murdered.

A system where, to use another example, the pharmacies, the drugstores, if a Cuban citizen has a child with a fever or another medical problem, they can only purchase medicines in the pharmacies if they have dollars and if they are foreigners. In other words, they have to get a foreigner to go in and purchase the medicine and they need a foreign currency, dollars, to be able to do that.

To cite a very well written report by the respected human rights organization PAX Christi Netherlands of February of this year, a system where the criminal code, even in its pre-February 1999 form, before the draconian new law that Castro had his public parliament pass that established up to 30 years in prison for peaceful pro-democracy activity; even before the February 1999 law, the criminal code was used as a means to silence political dissent by charging opponents of the regime with, for example, "contempt for authority" or "dangerousness" or "enemy propaganda."

In Cuba, where the judiciary is directly controlled by the communist party, the right to a fair trial is not guaranteed. Sometimes political proponents remain detained for prolonged periods, months, even years without any charge, much less a trial. And PAX Christi Netherlands continues in its Human Rights Report, February 1999, a list exists, drawn up by the Cuban Commission on Human Rights and Reconciliation, of approximately 300 political prisoners.

What is often overlooked, though, is that this is only a partial list. The Cuban Government does not disclose any data on the number of those imprisoned for political offenses such as rebellion, disrespect or enemy propaganda. Human rights organizations, therefore, will have to depend on other sources to report a political imprisonment to them. In actual fact, there are anywhere, and this is according to PAX

Christi Netherlands, in actual fact, there are anywhere from 2,000 to 5,000 political prisoners.

There is an additional problem in the form of people that are in prison under the pretext of, for instance, economic offenses, while the real reason is political. We can only guess at the numbers, says PAX Christi Netherlands. And it continues: Prisoners are put under great psychological pressure and at times they are beaten up. Prison conditions are generally bad. Inmates are undernourished and have no blankets, sanitary facilities or legal representation. There are frequent reports of political prisoners being denied medical attention in the case of illness.

An example is political prisoner Jorge Luis Garci-Perez Antunez, 33 years old and imprisoned for 18 years, accused of enemy propaganda. In the beginning of 1999 he was brutally beaten to unconsciousness by prison officers. According to his sister, one of these officers at the prison stated that they were authorized to beat prisoners. Actually, Antunez is in a very poor state of health, as he is denied medical treatment for his injuries and for his illnesses, a kidney insufficiency, angina pectoris and hypoglycemia. Until this writing, his sister has not been allowed to give her brother the necessary medicines, from PAX Christi Netherlands, February 1999.

So why, in addition to the moral imperative, I was asking, is it in the national interest of the United States for Cuba to be free? I think it is important that we touch upon just a few of the reasons.

We in Washington have the ability to receive research from many so-called think tanks. They are institutes of research. One of the most respected and certainly well informed of those research institutes is the William Casey Institute of the Center for Security Policy. In a recent report, November 1998, they wrote, "American advocates of normalization contend that Cuba no longer poses any threat to the United States, and that the U.S. embargo is therefore basically an obsolete and harmful relic of the Cold War.

Unfortunately, this view, reports the Center for Security Policy, ignores the abiding menacing character of the Castro regime. This is all the more remarkable given the emphasis Secretary of Defense William Cohen, among other Clinton administration officials, have placed on asymmetric threats, the very sorts of threats Cuba continues to pose to American citizens and interests.

These include the following: Thanks to the vast signal intelligence facilities operated near Lourdes by Havana's and Moscow's intelligence services, facilities that permit the wholesale collection of sensitive U.S. military diplomatic and commercial data and the invasion of millions of Americans' privacy, the Cuban regime has the capability to conduct sustained and systematic information warfare against the

United States. A stunning example of the potentially devastating consequences of this capability was recently provided by former Soviet military intelligence Colonel Stanislav Lunev. As one of the most senior Russian military intelligence officials to come to this country, Lunev revealed that in 1990 the Soviet Union acquired America's most sensitive Desert Storm battle plans, including General Norman Schwarzkopf's famed Hail Mary flanking maneuver, prior to the launch of the U.S. ground war on the Persian Gulf.

□ 1930

Moscow's penetration of such closely-guarded American military planning via its Cuban ally may have jeopardized the lives of literally thousands of U.S. troops in the event the intelligence had been forwarded to Saddam Hussein by then Soviet Premier Gorbachev.

By the way, Moscow pays \$200 million to this day. Even though they get a lot of money from the U.S. taxpayers, they turn around and pay \$200 million a year to Castro for the intelligence facilities that Moscow maintains in Havana.

Recent news reports have brought forth that the same types of concerns that existed during Desert Storm due to the intelligence-gathering operations in Cuba that the Russians maintain and the intelligence-gathering operations that Castro maintains with the help of the Russians, that these same concerns remain and have remained during our recent operations in Iraq and our current operation in Serbia.

The Center for Security Policy, in their report in February, 1999, continue talking about the Cuban threat, and specifically mention the following. According to a January 29 article in the Financial Times of London, drug traffickers have capitalized, drug traffickers, have capitalized on the increased flow of European and Latin American tourism and trade with Cuba in the post-Soviet period, as well as the Castro regime's rampant official corruption and its ideologically-driven desire to damage its economic enemies. These operations use Cuba both for a drug market for the tourists that go there, and as a favored cleansing route employed to reduce the opportunities for detection.

Several instances reported in the Financial Times of London illustrate this alarming development. For example, the frequency of drug cargoes dropped by air traffickers into Cuban waters for pick-up by smugglers more than doubled in 1998 over previous years.

On December 3 of 1998, a 7-ton shipment of cocaine bound for Cuba was seized in Columbia by the Colombian police. Further evidence of such offensive, albeit asymmetrical activities, and indications that the Clinton administration is finding this behavior to be inconvenient, and therefore to be

suppressed, was presented in Robert Novak's syndicated column in the Washington Post on February 1, 1999.

Such is the concern of the Committee on International Relations, led by its chairman, the gentleman from New York (Mr. BEN GILMAN) about the actual status of Cuban drug running that the committee asked the State Department to place Havana on its narcotics blacklist.

For its part, the administration, in the person of the drug czar, General McCaffrey, has denied any suggestion that it is downplaying or concealing Castro's Cuba's involvement in narco-trafficking. But the problem is that they have not answered our concerns. They have not answered our concerns, Madam Speaker.

I sent a letter, along with the gentleman from Florida (Ms. ROSELEHTINEN) and the gentleman from Indiana (Mr. DAN BURTON), to General McCaffrey in November of 1996 on the issue of Castro's participation in the drug trade and the lack of a policy, even the lack of acknowledgment by the administration that it is going on.

We specifically said in the letter: "There is no doubt that the Castro dictatorship allows Cuba to be used as a transshipment point for drugs. We were deeply disappointed when DEA administrator Thomas Constantine, testifying before the House International Relations Committee in June, said that 'there is no evidence that the government of Cuba is complicit' in drug smuggling ventures. On the contrary, there is no doubt that the Castro dictatorship is in the drug business. Your appearance," this was addressed to General McCaffrey, "before the committee that day was also very disappointing on this critical issue.

"Castro and his top aides have worked as accomplices for the Columbian drug cartels and Cuba is a key transshipment point. In fact," in 1996, "sources in the DEA's Miami Field Office stated to the media that more than 50% of the drug trafficking detected by the U.S. in the Caribbean proceeds from or through Cuba.

"Since the 1980's, substantial evidence in the public domain has mounted showing that the Castro dictatorship is aggressively involved in narco-trafficking. In 1982, four senior aides to Castro were indicted by a Florida grand jury for drug smuggling in the U.S. They were Vice Admiral Aldo Santamaria, a member of the Cuban Communist Party Central Committee who supervised military protection for, and the resupply of, ships transporting drugs to the US; Ambassador to Columbia Fernando Ravelo, who was in charge of the arms for drugs connection with the Columbian M-19 guerillas and the Medellin Cartel; Minister Counselor Gonzalo Bassols-Suarez, assigned to the Cuban Embassy in Bogota, Columbia; and Rene Rodriguez-Cruz, a senior official of the DGI (Cuban Intelligence Service) and a member of the Communist Party Central Committee.

"In 1987, the U.S. Attorney in Miami won convictions of 17 South Florida drug smugglers who used Cuban military air bases to smuggle at least 2,000 pounds of Columbian cocaine into Florida with the direct logistical assistance of the Cuban Armed Forces. Evidence in this case was developed by an undercover government agent who flew a drug smuggling flight into Cuba with a MIG fighter escort. In 1988, Federal law enforcement authorities captured an 8,800 pound load of cocaine imported into the United States through Cuba. In 1989, U.S. authorities captured 1,060 pounds of cocaine sent through Cuba to the United States.

"Prior administrations have correctly identified the Castro regime as an enemy in the interdiction battle. As early as March 12, 1982, Thomas Enders, then Assistant Secretary of State for Inter-American Affairs, stated before the Subcommittee on Security and Terrorism of the Senate Judiciary Committee that 'We now also have detailed and reliable information linking Cuba to trafficking in narcotics as well as arms.'"

On April 30, 1983, James Michel, Deputy Assistant Secretary of State for Inter-American Affairs, testified before the Subcommittee on Western Hemisphere Affairs of the Senate Foreign Relations Committee. His remarks validated prior findings:

"The United States has developed new evidence from a variety of independent sources confirming that Cuban officials have facilitated narcotics trafficking through the Caribbean. . . . They have done so by developing a relationship with key Columbian drug runners who, on Cuba's behalf, purchased arms and smuggled them to Cuban-backed insurgent groups in Columbia. In return, the traffickers received safe passage of ships carrying cocaine, marijuana, and other drugs through Cuban waters to the U.S."

"On July 26, 1989, Ambassador Melvin Levitsky, Assistant Secretary of State for International Narcotics Matters, testified that, 'There is no doubt that Cuba is a transit point in the illegal drug flow. . . . We have made a major commitment to interdicting this traffic. . . . Although it is difficult to gauge the amount of trafficking that takes place in Cuba, we note a marked increase in reported drug trafficking incidents in Cuban territory during the first half of 1989.'

"We are sure that while in Panama," we wrote General McCaffrey, "as Commander of the U.S. Southern Command, you became aware of General Noriega's close relationship with Castro, and of Castro's intimate relationship with the Columbian drug cartels.

"Because past administrations identified Cuba as a major transshipment point for narcotics traffic, it was integrated into the larger interdiction effort. By contrast, under the existing strategy" of this administration, "no aggressive efforts have been made to cut off this pipeline despite the growing awareness of its existence.

"In April, 1993, the Miami Herald reported that the U.S. Attorney for the Southern District of Florida had drafted an indictment charging the Cuban government as a racketeering enterprise, and Cuban Defense Minister Raul Castro as the chief of a ten-year conspiracy to send tons of Columbian cartel cocaine through Cuba to the United States. Fifteen Cuban officials were named as co-conspirators, and the Defense and Interior Ministries cited as criminal organizations." The indictment was shelved. It was placed in a drawer by the Clinton administration.

"In 1996, the prosecution of a drug trafficker, Jorge Cabrera, a convicted drug dealer, brought to light additional information regarding narco-trafficking by the Castro dictatorship. Cabrera was convicted of transporting almost 6,000 pounds of cocaine in the United States, and he was sentenced to 19 years in prison and fined over \$1 million. Cabrera has made repeated, specific claims confirming cooperation between Cuban officials and the Columbian cartels. His defense counsel has publicly stated that Cabrera offered to arrange a trip, under Coast Guard surveillance, that would 'pro-actively implicate the Cuban government.'" That investigation was shelved. It was put in a drawer by the Clinton administration.

"Overwhelming evidence points," we continued in our letter, "to ongoing involvement of the Castro dictatorship in narco-trafficking. The Congress remains gravely concerned about this issue." We ended the letter by saying, "We are deeply disappointed that the Administration continues to publicly ignore this critical matter."

General McCaffrey sent us back a form letter that he sends to schools and people who ask for the ability to have input throughout the country into the Nation's drug policy.

The chairman of the Committee on Government Reform in the House, the gentleman from Illinois (Mr. DAN BURTON) then sent a letter to General McCaffrey. I signed the letter, along with my colleague, the gentlewoman from Florida (Ms. ILEANA ROS-LEHTINEN):

"Dear General McCaffrey, we write in response to your letter," your form letter, "asking for comments in regard to updates." "We have included herewith a letter which we sent to you November 18, 1996. You subsequently replied to us with a form letter. . . .

"We hereby reiterate our request that you address the issue of the Cuban government's participation in narco-trafficking and take all necessary actions to end the Clinton Administration's cover-up of that reality.

"We look forward to receiving a specific and detailed response to the information and points raised in our correspondence. Thank you in advance for your personal attention to this request."

General McCaffrey wrote back saying that we had impugned his integrity or

his commitment to the country, something that we never did. We remain focused on what we asked for.

As the gentleman from Illinois (Chairman DAN BURTON) stated in his reply to General McCaffrey on March 16, 1999, "Simply put, your response was insufficient. I unequivocally disagree with your assessment of the Cuban government," because the General maintains that the Cuban government is not involved with drug trafficking.

Despite all the evidence that he knows of and we provided publicly to him, it is part of the public record, he continues to say, no, the Cuban government is not involved with drug trafficking, and/or is unable to monitor or patrol its territory.

Chairman BURTON continued, "I have never questioned your service or dedication to our country. Your military career was long, and you indeed rose to four star (CINC) status, and I salute you for that."

That is not the issue. The issue is that we sent a detailed letter that I just read from the Congress of the United States, once again asking for what the policy is of the administration with regard to concrete evidence of decades-long participation by the Cuban regime in narco-trafficking into the United States; in other words, a systematic campaign to poison the youth in the United States.

What is the policy of this administration? It is not an issue of whether General McCaffrey had a good military record or not. Nobody is questioning that. It is, what is the policy of the administration now? Why is there an obvious attempt to cover up the involvement of the Cuban regime in narco-trafficking into this country?

The Center for Security Policy, in its February, 1999, report, stated, with regard to Cuba's two VVER 440 Soviet-designed nuclear reactors, that assurances from the Russian Ministry of Atomic Energy to the effect that these reactors are "in excellent condition and meet all contemporary safety requirements" are unconvincing.

The Center for Security Policy continued: "In fact, many Western experts, including the U.S., the General Accounting Office, and Cuban defectors from the Juragua complex have warned about myriad design and construction flaws.

"Among the items of concern are the fact that much of the facility's sensitive equipment has been exposed to corrosive tropical weather conditions for almost 6 years, and a large percentage of the structural components, building materials, and fabrication, for example, of critical welds, has been defective."

The Pentagon is currently constructing a so-called Caribbean Radiation Early Warning System, known as CREWS, around the southern United States downwind from these Cuban reactors. According to Norm Dunkin, the lead contractor on CREWS, this system

will monitor the activity of the reactors being built in Cuba in the event of an accident. Mr. Dunkin states that the CREWS system would allow for an immediate response.

Now, just what that immediate response would be remains far from clear. We are talking about two Soviet-designed nuclear power plants that Castro is committed to completing in Cuba. So will this "early warning system" enable the mass evacuation of as many as 80 million Americans who might, according to U.S. official estimates, be exposed to Cuban radiation within days of a meltdown?

And even if that extraordinary logistical feat could be accomplished, what would happen to the food supply, animals, and property left behind? This is the Center for Security Policy in its report of 1999, February.

□ 1945

I think it is important, Madam Speaker, that we point out what we are talking about specifically here with regard to these Cuban power plants. These are Soviet-designed nuclear power plants. We just remembered the horrible accident at Chernobyl, where so many innocent lives were lost and radiation caused damage to millions and millions of people in the Ukraine. Well, what we are talking about here is Cuba. We are not talking about the Ukraine.

We are talking about Soviet-designed nuclear power plants. They are known as the VVER 440. Soviet designed nuclear reactors. There are two of them. Here. Here is Key West. Here are the nuclear power plants. We are talking about less than 200 miles. These reactors, the VVER 440s, were all shut down when the Soviet Union collapsed and the Iron Curtain came down in Europe. All of the newly-freed countries of Eastern Europe, without exception, starting with East Germany but going throughout the entire continent, immediately moved to shut them all down because they are inherently dangerous.

But in addition to that, engineers and workers who worked on the initial stages of these two Cuban nuclear power plants have testified here in Congress and before Federal executive agencies that not only are these plants defective because of their design but because of the great mistakes that were committed, the great flaws in the construction, the initial construction of these plants that Castro is determined to complete.

Now, according to the National Oceanic and Atmospheric Administration that prepared this chart for my office, if the winds happened to be blowing north, in this direction, where we are right now, here, Washington, D.C., and even further north, as far north as Pennsylvania and New York, within 2 days of an accident in one of these plants, or an incident, because the Cuban dictator would be able to create an incident if he would so decide, with-

in 2 days, if the winds were blowing north, the radiation would expose most of the eastern coast of the United States.

If it were blowing in this direction, obviously, the central United States. It would take longer, obviously, to get to Texas and the West. But 80 million Americans reside in this area, and within 2 days, if the winds were blowing this way, if these plants were completed and if there were an accident, and we obviously had an accident in Chernobyl, we are not talking theory here, these are Soviet-designed plants, it would expose up to 80 million Americans to grave risk. And this chart, as I say, was provided by the National Oceanic and Atmospheric Administration.

We are all concerned about Kosovo. It is a great humanitarian crisis and tragedy, but this is here. These plants are less than 200 miles from the United States. What is the President doing? What is the Clinton administration doing to prevent this? Well, they have come forth with something called, as I mentioned before, CREWS, the Caribbean Radiation Early Warning System. I have never seen, to be diplomatic I will say, a less logical idea. Because this CREWS system, Caribbean Radiation Early Warning System, is designed to monitor the activity of these reactors in the event of an accident, this system would, quote, allow for an immediate response. The radiation would be picked up by the system.

Is that what our policy has to be? I think that is inconceivable. I think our policy needs to be a policy of simply letting the Cuban regime know that under no circumstances can those plants be completed. The United States of America has to make it clear to Mr. Castro that those plants cannot be completed. It means putting at risk, if they are completed, 80 million Americans plus the entire Cuban people, plus the neighbor, if the winds happen to go this way, Mexico. If the winds happen to go this way, it is Central America.

The United States has to be telling the Cuban Government that those plants will not be completed. But, no, the Clinton administration came up with CREWS, the Caribbean Radiation Early Warning System, that will allow for an immediate response because radiation will be detected if there is an accident. That is not acceptable.

I ask all of my colleagues and the American people watching through C-SPAN to contact their Congressman or Congresswoman and tell him or her that they must tell the President of the United States that he must unequivocally state that these plants, these nuclear power plants in Cuba, cannot, will not, under any circumstances, be completed. This is an issue of extraordinary importance.

With regard to the matters we are touching upon, which are why it is in the national interest of the United States, in addition to the moral prerequisites, the reasons for there to be a democratic transition in Cuba, Inside

Magazine, Inside Magazine here in Washington, published an article last month and I would like to quote from it. It is a very brief article.

Fidel Castro was, quote, among the principal sponsors of international terrorist Carlos the Jackal, according to a former senior Cuban Interior Ministry official. Juan Antonio Rodriguez Menier, who has lived under police protection in the United States for the past 13 years, told investigators that Castro supplied Carlos, that is the name this well-known terrorist goes by, whose real name is Ilich Ramirez Sanchez, with money, passports and apartments in Paris.

Menier, this former Cuban intelligence official, alleges that the Cuban President, referring to Castro, organized drug trafficking in the United States, France, the Netherlands and elsewhere, and that Carlos was used by Castro to, "put pressure on and execute the people he designated." Carlos, this terrorist, is serving a life sentence in France for the murder of two secret policemen and an informant.

These are what threats exist. What are the reasons, again, Madam Speaker? The question is, in addition to the moral imperative, what are the reasons why it is in the national interest of the United States for there to be a democratic transition in Cuba? Why do we have an embargo on Castro that provides not only the only sanction against his brutality but the only leverage for the Cuban opposition, for the Cuban people to achieve a Democratic transition once Castro is gone from the scene?

Why do we maintain an embargo? For all these reasons. Why is it in the United States' national interest for there to be a democratic transition in Cuba? For all these reasons that I have been mentioning.

There was an unprecedented act of state terrorism against American citizens a little over 3 years ago. Castro ordered his own air force, not talking about Carlos the terrorist, but his own air force to shoot down American civil planes over international waters. That is the only time it has ever been done. Not even Saddam or the North Koreans have done that.

Civilian planes over international waters by an act of state terrorism directly by an air force. The only time it has been done. It is unprecedented, as was noted by Judge Lawrence King in his wise and erudite decision in the U.S. District Court in the Southern District of Florida. In an unprecedented act, Castro ordered the murders by his own air force of U.S. citizens over international waters 3 years ago.

Well, sometimes it is important to go back and read what was said at the time. This is March 11, 1996, 3 years ago. Time Magazine. In an exclusive conversation with Reginald Brack, chairman of Time, Joelle Addinger, Time's chief of correspondence, and Cathy Booth, the Miami bureau chief, Castro tried to explain and justify shooting down two defenseless planes.

Question: What was the chain of command? Here is Castro's answer: We discussed it with Raul. That is his brother, head of the air defense forces in the military. We gave the order to the head of the air force. Castro continued saying, I take responsibility for what happened. Castro admits, he takes responsibility publicly for shooting down unarmed civilian aircraft over international waters. Unprecedented act of state terrorism.

Where is the administration? The Clinton administration signed the codification of the embargo, that is true, and ever since then has systematically waived every part of the legislation that the administration has been able to waive. Sometimes it is important to realize why things were done. We are not talking about 30 years ago but 3 years ago.

Now, Madam Speaker, it is important, I think, to go back to what the Center for Security Policy stated in its February 1999 report. Bottom line, it ended, the report, saying, "In short, Fidel Castro's Cuba continues to represent a significant, if asymmetric, threat to the United States. The Clinton administration needs to be honest with the American people about these and other dangers, perhaps including the menace of biological or information warfare, which the President says he has seized. The Clinton administration must dispense with further efforts to cover up or low-ball them. Under these and foreseeable circumstances, it would be irresponsible to ease the U.S. embargo, and thereby not only legitimate, but offer life support to the still offensively oriented Castro regime." That was the Center for Security Policy, February 1999.

Madam Speaker, I would ask how much time I have remaining.

The SPEAKER pro tempore (Mrs. BONO). The gentleman from Florida (Mr. DIAZ-BALART) has 14 minutes remaining.

Mr. DIAZ-BALART. The dictatorship in Cuba is economically bankrupt and obviously desperate. That is part of the danger, the desperation angle. For example, the fact that Castro would be so committed to completing two nuclear power plants whose design is so inherently faulty that everywhere where they had been completed in Eastern Europe they were closed down, proves he is desperate. He wants it complete, even those nuclear power plants.

The dictatorship is bankrupt and desperate. The clear signs of that, for example, are that just a few days ago he went to the Dominican Republic, where the very mediocre President of the Republic there, who falls all over himself when he sees Castro, literally, just about; he drools in admiration. Castro was there and all of a sudden his number two bodyguard, and it is important to know what these bodyguards are in the context of Cuban society. They are the ones who have everything the people do not have, starting with the food and all the privileges and benefits. His

personal bodyguards. Well, his number two personal bodyguard defected; responsible for waking Castro up and taking care of his life. If he cannot trust his number two bodyguard, of the hundreds of bodyguards he has, who can he trust? Obviously, he knows, no one. That is a sign of desperation. That is a sign of where the dictatorship is.

People say, well, the policy has not functioned. What do they mean it has not functioned, when it has to be in place; conditioned, our embargo conditioned, its lifting conditioned on the three key developments that have to occur in Cuba, and that will occur in Cuba? In other words, the liberation of all political prisoners, legalization of political parties, labor unions and the press, and the scheduling of free elections. This is a desperate, bankrupt dictatorship that, obviously, everyone knows, even the supporters of the dictatorship, that it cannot survive the life of the dictator if we maintain the embargo, the leverage. Obviously, the dictatorship is desperate and bankrupt.

Now, there is something I need to say, because I think it is fair. The UN Human Rights Commission in Geneva passed a resolution this last Friday condemning the human rights violations by the Castro regime. And I want to publicly commend, congratulate and show my admiration for the Czech Republic, who was the prime sponsor of the resolution, and the Polish Government as well. In other words, the Czech president, Vaclav Havel, and Polish Prime Minister Jerzy Buzek, who were the prime sponsors of this resolution, this marvelous resolution, standing firm on the side of the Cuban people. And, really, those who voted for the governments, who voted for it, constitute a hall of fame and dignity at this time. And those who voted against it really constitute a hall of shame.

□ 2000

It only passed by one vote, by the way, but it passed. Obviously, too many people, when we realize it passed by one vote, are in the hall of shame. But, nevertheless, the hall of fame prevailed.

In favor: Argentina; Austria; Canada; Chile; the Czech Republic; Ecuador; France; Germany; Ireland; Italy; Japan; Latvia; Luxembourg; Morocco. By the way, I want to thank His Royal Highness King Hassan and the distinguished and brilliant Foreign Minister Mohammad Benaissa Benahista for their courageous stand. Norway; Poland; the Republic of Korea; Romania, that wonderful, heroic people; the United Kingdom, the United States of America; and Uruguay.

A significant development in this last year, because there was a defeat in this resolution a year ago, a significant development was the naming by Secretary Albright of Assistant Secretary Coe, Assistant Secretary for Human Rights. He did a wonderful job, and he is to be commended.

And then of course voting against, and I am not going to go into the en-

tire list, but the fact that Latin American neighbors of the Cuban people, two of them voted against, Mexico and Brazil. The Mexican Government remains consistent in its policy of corruption in all aspects. And the new Venezuelan President, who wrote a letter by the way to Carlos the Jackal, the terrorist that I referred to previously, well, the new Venezuelan President wrote him a letter the other day congratulating him. That is the new President of Venezuela.

And then abstaining, in other words, those who say, yes, I see the horrible violations of human rights but I do not have the courage or the whatever to vote to condemn them, abstaining was Colombia, El Salvador, and Guatemala. They may not be in the hall of shame but they sure are near.

Madam Speaker, I think in addition to congratulating the people who those governments have voted for this resolution, and noting our disillusionment with those who abstained, and of course, our condemnation of those who voted against, I remain convinced that a great problem that the Cuban people face, the reason why there have been so many years of dictatorship there, one of the great reasons is the lack of press coverage.

I ask my colleagues, I ask the American people watching on C-SPAN, did they read or see coverage of Castro's bodyguard defecting, the No. 2 bodyguard of a dictator that has been in power for 40 years? Did they read about it, hear about it? Was it in the news?

Did they hear about this resolution that condemned the human rights violations? Did they read or hear about, did they see coverage about the crack-down that Castro was involved in against the Cuban people, the new law calling for up to 30 years of imprisonment for peaceful pro-democracy activity? Have they read about that? Have they seen coverage?

Do they know about the four best known dissidents in Cuba, the, in effect, Vaclav Havel and Lech Walesa of Cuba, who bravely refused freedom in lieu of prison and were just sentenced to long prison terms for writing a document asking for free elections and criticizing one-party government? Have they read about their names: Vladimiro Roca, Felix Bonne, Rene Gomez Manzano, Marta Beatriz Roque?

Had they heard about the prisoner that I referred to before, that PAX Christi Netherlands talked about his repeated beatings, a 33-year-old man condemned to 18 years in prison for peacefully advocating for democracy?

Had they heard about Jorge Luis Garcia Perez Antunez? Did they know about Oscar Elias Biscet or Leonel Morejon Almagro, who has been nominated by over 60 Members of this House for the Nobel Peace Prize, or Vicky Ruiz or the hundreds of other pro-democracy activists in Cuba, or the independent press who bravely each day fight for democracy or work to inform the world about the horrors, about what is going on?

Have they read about that? Or did they read about the Baltimore Orioles or the Harlem Globetrotters playing with Cuba's national teams? Is that what we read about? That is the only thing that the press covers with regard to Cuba. How cute, the Baltimore Orioles or the Harlem Globetrotters playing Castro's designated national team. That is the only coverage, in essence, with very rare exceptions.

It is time to help the internal opposition, Madam Speaker. A number of us are filing, we prepared legislation that basically tells the President of the United States, we in the Congress, we passed a law 3 years ago saying he is authorized to help the internal opposition in Cuba, to find ways to do it like we did in Poland, and he has not done it, and it is time that we do it and we are filing legislation to do so.

It is time that the world learn the names of the Vaclav Havels and the Lech Walesas of Cuba. It is time that the world be able to put faces to those names and names to those faces. It is time to help the internal opposition.

We will be filing this legislation. We need the support of our colleagues. It does not deal with the embargo. They can be pro-trade, anti-trade, or in the middle. They can stand for the Cuban people's right to be free by supporting this legislation that calls on the President to devise a plan, like was done by President Reagan in Poland, to help the internal opposition.

And we talk to those now members of parliament in Poland or the President in the Czech Republic and they will tell us what it meant when we had a President in the United States who stood with them and found ways to help them when they were dissidents and when they were being persecuted by their communist totalitarian regimes.

That is what we need to do in the case of Cuba. Cuba will be free. The Congress has always been on the side of the Cuban people. What we need is the President to speak up on this issue on these people 90 miles away, our closest friends, our closest neighbors, to stand on their side and against the repressor.

We need the administration to be heard. The Congress is heard, will continue to be heard, has been heard. And we are going to file our legislation, and we need the support of our colleagues. I know we have it, because always the Congress of the United States have stood with the Cuban people. And the Cuban people, when they are free, they will remember this Congress for having stood always for their right to be free, for self-determination, for freedom for dignity, for free elections and against the horrors of their 40-year totalitarian nightmare.

PATIENT PROTECTION LEGISLATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes.

Mr. GANSKE. Madam Speaker, it is *deja vu* all over again. Delay patient protection, keep it from the floor, try to push it back in the legislative year so that time will run out, or load up a clean patient bill of protection with a lot of extraneous, untested ideas and then let it sink of its weight.

Madam Speaker, I would think that we would learn in this House that the American public is demanding that Congress address this problem. I recently learned, Madam Speaker, that the leadership of the House is not thinking about bringing patient protection legislation to the floor until October at the earliest. And I also learned, Madam Speaker, that the chairman of jurisdiction is considering adding a number of untested ideas to a clean bill of patient rights, things like health marts or association health plans, ideas which have not been tested, which could actually be harmful.

Why is this a disaster, Madam Speaker? Well, consider the case of little James Adams, age 6 months. At 3:30 in the morning his mother Lamona found him hot, panting, sweaty, moaning. His temperature was 104. Lamona phoned her HMO and was told to take James to Scottish Rite Medical Center. "That is the only hospital I can send you to," the reviewer added.

"Well, how do I get there?" Lamona said.

"I do not know. I am not good at directions."

So at about 3:30 in the morning Lamona and her husband wrap up little Jimmy, little sick Jimmy. It was raining out, terrible night. They get in their car. They live way on the east side of Atlanta, Georgia, about 20 miles.

About 20 miles into their ride they pass Emory Hospital's emergency room with a renowned pediatric medical center. Nearby are two more of Atlanta's leading hospitals, Georgia Baptist and Grady Memorial. But they did not have permission to stop, and they knew that if they did the HMO would stick them with the bill. So not being medical professionals, they thought, "We think we can get there in time."

They had 22 more miles to travel before they got to Scottish Rite. While searching for the hospital, James's heart stopped. Madam Speaker, think of what it was like for Mr. and Mrs. Adams, driving frantically in the early morning hours, trying to resuscitate and keep little Jimmy alive while they push on to the emergency room.

Well, they got him to Scottish Rite eventually but it looked like he would die. But he was a tough little guy, and despite his cardiac arrest due to delay in treatment by his HMO, he survived. However, he ended up with gangrene of both of his hands and both of his feet. The doctors had to amputate both of little Jimmy's hands and both of his feet.

All this is documented in the book "Health Against Wealth," and the details of baby James' HMO's methods

emerged, and a judge who looked at this said the margins of safety of that HMO were razor thin. Madam Speaker, I would say about as razor thin as the scalpel that had to amputate little baby James' hands and feet.

Think of the dilemma this places on a mother struggling to make ends meet. In Lamona's situation, under last year's Republican task force bill, if she rushes her child to the nearest emergency room she could be at risk for a charge that is on average 50 percent more than what the plan would pay for in network care. Or she could hope that her child's condition will not worsen as they drive past other hospitals to finally make it to the ER that is affiliated with their plan. And woe to any family's fragile financial condition if this emergency occurs while they are visiting friends or family out-of-State.

Madam Speaker, cases like this are not isolated examples. They are not mere anecdotes. Madam Speaker, tell to little James today or to his mother Lamona, who I spoke to about a month ago, that James is just an anecdote. Those anecdotes, if we prick their finger, if they have a finger, they bleed.

Little James, with his bilateral leg amputations and his bilateral hand amputations, today with his arm stumps can pull on his leg prosthesis, but his mom and dad have to help him get on his bilateral hooks. Little James will never be able to play basketball or sports. Little James, some day when he marries the woman that he loves, will never be able to caress her cheek with his hand.

Madam Speaker, this is the type of disaster that the type of delay that we are seeing in this House and in this Congress in addressing this problem makes this a tragedy. Well, Madam Speaker, these cases have earned the HMO industry a reputation with the public that is so bad that only tobacco companies are held in better esteem.

Let me cite a few statistics. A national survey shows that far more Americans have a negative view of managed care than positive. By more than two to one, Americans support more government regulation of HMOs. The survey shows that only 44 percent of Americans think managed care is a good thing.

Do my colleagues need proof? Just remember the way the audience clapped and cheered during the movie "As Good As It Gets" when Academy Award winner Helen Hunt expressed an expletive, which I cannot repeat on the floor of Congress, about the lack of care her asthmatic son got from their HMO.

□ 2015

No doubt the audience's reaction was fueled by dozens of articles and news stories highly critical of managed care. These are real-life experiences.

In September of 1997, the Des Moines Register ran an op-ed piece entitled "The Chilly Bedside Manners of HMOs" by Robert Reno, a Newsweek writer.

Citing a study on the end of life care he wrote, "This would seem to prove the popular suspicion that the HMO operators are heartless swine."

The New York Post ran a week-long series on managed care. The headlines included, "HMOs Cruel Rules Leave Her Dying for the Doc She Needs."

Another headline blared out, "Ex-New Yorker Is Told, Get Castrated So We Can Save Dollars."

Or maybe you are interested in this headline: "What His Parents Didn't Know About HMOs May Have Killed This Baby."

Or how about the 29-year-old cancer patient whose HMO would not pay for his treatments? Instead, the HMO case manager told him to hold a fund-raiser. A fund-raiser? Madam Speaker, I certainly hope that campaign finance reform will not stymie this man's effort to get his cancer treatment.

To counteract this, even some health plans have taken to bashing their colleagues. Here in Washington, one HMO's ads declared, "We don't put unreasonable restrictions on our doctors. We don't tell them that they can't send you to a specialist."

In Chicago, Blue Cross ads proclaimed, "We want to be your health plan, not your doctor."

In Baltimore, an ad for Preferred Health Network assured customers, "At your average health plans, cost controls are regulated by administrators. At PHN, doctors are responsible for controlling costs."

Madam Speaker, advertisements like these demonstrate that even the HMOs know that there are more than a few rotten apples in that barrel. As the debate over HMO reform has evolved, there has been a great deal of focus lately on the question of who decides what health care is medically necessary. Simply put, most health plans extol the fact that they pay for all health care that is medically necessary. Consumers find this reassuring as it suggests that if they need care, they will get it. What plans do not advertise nearly as extensively is that plans usually reserve for themselves the right to decide what is and what is not medically necessary.

On May 30, 1996, Congress got its first glimpse at this issue. On that day, a small, nervous woman testified before the House Commerce Committee. Her testimony was buried in the fourth panel at the end of a long day about the abuses of managed care. The reporters were gone, the television cameras had packed up, most of the original crowd had dispersed. She should have been the first witness that day, not the last. She told about the choices that managed care companies and self-insured plans are making every day when they determine medical necessity. Linda Peeno had been a claims reviewer for several HMOs and here is her story:

I wish to begin by making a public confession. In the spring of 1987, as a physician, I caused the death of a man.

She went on:

Although this was known to many people, I have not been taken to any court of law or called to account for this in any professional or public forum. In fact, just the opposite occurred. I was rewarded for this. It brought me an improved reputation on my job and contributed to my advancement afterwards. Not only did I demonstrate that I could do what was expected of me, I exemplified the good company doctor, because I saved a half million dollars.

Well, Madam Speaker, as she spoke, a hush came over the room. The representatives of the trade associations who were still there averted their eyes. The audience shifted uncomfortably in their seats, both gripped and alarmed by her story. Her voice became husky and I could see tears in her eyes. Her anguish over harming patients as a managed care reviewer had caused this woman to come forth and bare her soul.

She continued:

Since that day I have lived with this act and many others eating into my heart and soul. For me a physician is a professional charged with the care or healing of his or her fellow human beings. The primary ethical norm is do no harm. I did worse. I caused death. Instead of using a clumsy bloody weapon, I used the simplest, cleanest of tools, my words. This man died because I denied him a necessary operation to save his heart. I felt little pain or remorse at the time. The man's faceless distance soothed my conscience. Like a skilled soldier, I was trained for this moment. As the HMO would have me say, when any moral qualms arise, I was to remember, I am not denying care, I am only denying payment.

By this time, the trade association representatives were staring at the floor. The Congressmen who had spoken on behalf of the HMOs were distinctly uncomfortable, and the staff, several of whom subsequently became representatives of HMO trade associations, were thanking God that this witness had come at the end of the day.

Dr. Peeno's testimony continued:

At the time, this helped me avoid any sense of responsibility for my decision. Now I am no longer willing to accept escapist reasoning that allowed me to rationalize that decision. I accept my responsibility now for that man's death as well as the immeasurable pain and suffering many other decisions of mine caused.

She then went on to list the many ways that managed care plans deny care to patients but she emphasized one particular issue, the right to decide what care is medically necessary.

"There is one last activity that I think deserves a special place on this list, and that is what I call the smart bomb of cost containment, and that is medical necessity denials. Even when medical criteria is used, it is rarely developed in any kind of standard, traditional, clinical process. It is rarely standardized across the field. The criteria is rarely available for prior review by the physicians or members of the plan. We have enough experience from history to demonstrate the consequences of secretive, unregulated systems that go awry."

And after exposing her own transgressions, she closed by urging every-

one in that hearing room to examine their own conscience. I remember her saying this very well.

She said,

One can only wonder how much pain, suffering and death will we have before we have the courage to change our course? Personally, I have decided even one death is too much for me.

quiet. The chairman mumbled, "Thank you, doctor."

Linda Peeno could have rationalized her decisions as many do. "Oh, I was just working within guidelines." Or, "I was just following orders." Or, "You know, we have to save resources." Or, "This isn't about treatment, it's really just about benefits."

Dr. Peeno refused to continue this denial and will do penance for her sins the rest of her life by exposing the dirty little secret of HMOs determining medical necessity.

Madam Speaker, if there is only one thing our colleagues consider before voting on patient protection legislation, I hope it will be the fact that no amount of procedural protection or schemes for external review can help patients if the insurers are legislatively given broad powers to determine what standards will be used to make decisions about coverage. As Dr. Peeno so poignantly observed, insurers now routinely make treatment decisions by determining what goods and services they will pay for.

The difference between clinical decisions about medically necessary care and decisions about insurance coverage are especially blurred. Because all but the wealthy rely on insurance, the power of insurers to determine what coverage is medically necessary gives them the power to dictate professional standards of care.

Make no mistake, Madam Speaker. Along with the question of health plan liability, the determination of who should decide when health care is medically necessary is the key issue in patient protection legislation. Contrary to the claims of HMOs that this is some new concept, for over 200 years most private insurers and third-party payers have viewed as medically necessary those products or services provided in accordance with what we would call "prevailing standards of medical practice." This is the definition used in many managed care reform bills, including my own, the Managed Care Reform Act of 1999.

The courts have been sensitive to the fact that insurers have a conflict of interest because they stand to gain financially from denying care and have used themselves clinically derived professional standards of care to reverse insurers' attempts to deviate from standards. This is why it is so important that managed care reform legislation include an independent appeals panel with no financial interest in the outcome. A fair process of review, utilizing clinical standards of care, guarantees that the decision of the review board is made without regard to the financial interests of either the doctor

or the health plan. On the other hand, if the review board has to use the health plan's definition of medically necessary, there is no such guarantee.

In response to the growing body of case law and their own need to demonstrate profitability to shareholders, insurers are now writing contracts that threaten even this minimal standard of care. They are writing contracts in which standards of medical necessity are not only separated from standards of good practice but are also essentially not subject to review.

Let me give my colleagues one example out of many of a health plan's definition of medically necessary services. This is from the contractual language of one of the HMOs that some of you probably belong to: "Medical necessity means the shortest, least expensive or least intense level of treatment, care or service rendered or supply provided, as determined by us."

Contracts like this demonstrate that some health plans are manipulating the definition of medical necessity to deny appropriate patient care by arbitrarily linking it to saving money, not to the patient's medical needs. So on the surface some would say, "Well, what is wrong with the least expensive treatment?"

Let me give my colleagues one example out of thousands. As a reconstructive surgeon before I came to Congress, I treated children with cleft lips and cleft palates. Clinical standards of care would determine that the best treatment is surgical correction. But under this HMO's contractual definition, that plan could limit coverage to a piece of plastic to fill in that hole in the roof of that kid's mouth. After all, that plastic obturator would be cheaper than a surgical correction.

□ 2030

However, instead of condemning children to a lifetime of using a messy plastic prosthesis, the proper treatment, reconstruction utilizing that child's own tissue, will give that child the best chance at normal speech and a normal life.

Paradoxically, insurers stand to benefit from misguided legislative changes that displace case law. An example is the legislation that passed this House last year and the GOP bill in the Senate that would have granted insurers the explicit power to define medical necessity without regard to current standards of medical practice. This would have been accomplished by allowing them to classify as medically unnecessary any procedures not specifically to be found necessary by the insurer's own technical review panel.

Think of that, Madam Speaker. The legislation that passed, the Republican legislation that passed this House last year explicitly gave to the HMOs, the ones that were abusing medical necessity in the first place, the ability by legislative language to determine exactly what they thought medical necessity should be, and the Senate bill

would have even given insurers the power to determine what evidence would be relevant in evaluating claims for coverage, and would have permitted insurers to classify some coverage decisions as exempt from administrative review.

And I know, Madam Speaker, that many of our colleagues who supported those bills last year had no idea of the implications of the medical necessity provisions that were in those bills. Specifically, insurers now want to move away from clinical standards of care applied to particular patients, and they want to move to standards linking medical necessity to what are called population studies. On the surface this may seem sort of scientific or rational, but as a former medical reviewer myself who worked for many insurers, large and small, let me explain why I think it is critical that we stick with medical necessity as defined by, quote, clinical standards of care, unquote.

First, sole reliance on broad standards from generalized evidence is not good medical practice; second, there are practical limits to designing studies that can answer all clinical questions; and, third, most studies are not of sufficient scientific quality to justify overruling clinical judgment.

Now let me explain these points in a little more detail, and I also recommend an article on these shortcomings by Rosenbaum in the January 21, 1999, edition of the *New England Journal of Medicine*.

First, while it may sound counter intuitive, it is not good medicine to solely use outcome-based studies of medical necessity even when the science is rigorous. Why is this? Well, it is because the choice of the outcome is inherently value laden. The medical reviewer for the HMO is likely, as shown by the above-mentioned contract, to consider cost the essential value. But what about quality?

As a surgeon I treated many patients with broken fingers simply by reducing the fracture and splinting the part. For most patients this would restore adequate function. But for the musician who needs a better range of motion surgery might be necessary. Which outcome should be the basis for the decision about insurance coverage? Playing the piano or routine functioning?

My point is this: Taking care of patients involves much individualization and variation. Definition of medical necessity must be flexible enough to take into account the needs of each patient. One-size-fits-all outcomes make irrelevant the doctor's knowledge of the individual patient and is bad medicine, period.

Second, there are practical limitations on basing medical necessity on what are called generalized evidence, particularly as it applies to HMOs. Much of medicine is a result of collective experience, and many basic medical treatments have not been studied rigorously. Furthermore, aside from a handful of procedures that are not ex-

plicitly covered, most care is not specifically defined in health plans because of the number of procedures and the circumstances of their application, which are limitless.

In addition, by their very nature many controlled clinical trials study treatments in isolation. They are controlled studies, whereas physicians need to know the benefits of one type of treatment over another. Prospective, randomized comparison studies, on the other hand, are expensive. Given the enormous number of procedures and individual circumstances, if coverage is limited to only those that have scientifically sound generalized outcomes, care could be denied for almost all conditions. And come to think of it, Madam Speaker, maybe that is why the HMOs are so keen on getting away from prevailing standards of care.

Third, Madam Speaker, the validity of HMO guidelines and how they are used I think is very much open to question. Medical directors of HMOs were asked to rank the sources of information they use to make medical decisions. Industry guidelines generated by the trade associations representing health plans ranked ahead of information from national experts, government documents and NIH consensus conferences. The most highly ranked respected source, medical journals, was used by HMO directors less than 60 percent of the time.

And industry guidelines are frequently done by a group called Milliman and Robertson, a strategy shop for the HMO industry. This is the same firm that championed "drive through" deliveries and outpatient mastectomies. Many times these practice guidelines are not grounded in science but are cookbook recipes derived by actuaries to reduce health care costs, plain and simple.

Let me give two examples of the errors of these guidelines. A National Cancer Institute study released in June found that women receiving outpatient mastectomies face, quote, significantly higher, unquote, risks of being rehospitalized and have a higher risk of surgery-related complications like infections and blood clots. In 1997 a study published in the *Journal of the American Medical Association* showed that babies discharged within a day of birth faced increased risk of developing jaundice, dehydration and dangerous infections.

So there we have drive-through deliveries and outpatient mastectomies. The objectivity of medical decision-making requires that the results of studies be open to peer review. Yet much of the decision-making by HMOs is based on unpublished, proprietary, and unexamined methods and data. Such secret and potentially biased guidelines simply cannot be called scientific.

Now that is not to say that outcome-based studies do not make up a part of how clinical standards of care are determined, because they do. But we are

all familiar with the ephemeral nature of new scientific studies such as those on the supposed dangers of alar.

Now clinical standards of care do take into account valid and replicable studies in the peer reviewed literature as well as the results of professional consensus conferences, practice guidelines based on government-funded studies, and guidelines prepared by insurers that have been determined to be free of any conflict of interest. But most importantly, they also include the patient's individual health and medical information and the clinical judgment of the treating physician.

The importance of this issue, Madam Speaker, cannot be over emphasized, and it can be found in a recent decision by the Tenth Circuit Court of Appeals. In the case *Jones v. Kodak*, the name Jones is particularly appropriate, I might add, because after this decision other health plans will rush to keep up with what their competitors are doing to the Joneses of this world. In any event, in *Jones v. Kodak* the Tenth Circuit Court of Appeals showed how ERISA, the Employee Retirement Income Security Act, and a clever health plan can work in tandem to keep patients from getting needed medical care.

Now the facts are relatively simple of this case. Mrs. Jones received health care through her employer, Kodak. The plan covers in-patient substance abuse treatment when medically necessary. Here we are, back at the medically necessary issue again. The determination as to whether a particular substance abuse service is medically necessary is made by American Psych Management, APM.

American Psych Management reviewed a request for in-patient substance abuse treatment and found that Mrs. Jones did not meet APM's protocol for in-patient mental health hospitalization. So the family pursued the case further, eventually persuading the health plan to send the case to an independent medical expert of the plan's own choosing for review.

The reviewer agreed that Mrs. Jones did not qualify for the benefit under the criteria established by the plan. But he observed that, quote, these criteria are too rigid and do not allow for individualization of case management, unquote. In other words, the criteria were not appropriate to Mrs. Jones' condition. But his hands were tied. The reviewer was unable to reverse APM's original decision.

So, Madam Speaker, Mrs. Jones sued for the failure to pay the claim. In affirming the trial court's decision to grant summary judgment to the defendants, the Tenth Circuit Court of Appeals held the following:

"ERISA's disclosure provisions do not require that the plan summary contained particularized criteria for determining medical necessity."

They also held: "The unpublished APM criteria were part of the plan's terms. Because we consider the APM

criteria a matter of plan design and structure, rather than implementation, we agree that a court cannot review them."

So what does this all mean in layman's terms? Well, it means that a plan does not have to disclose the treatment guidelines or the protocols it uses to determine whether or not a patient should get care, and furthermore, any treatment guidelines used by the plan would be considered part of the plan design and thus are not reviewable by the court.

The implications of this decision, Madam Speaker, are, in a word, breathtaking. *Jones v. Kodak* provides a virtual road map to enterprising health plans of how to deny payment for medically necessary care. The decision is a clear indication of why we need Federal legislation to ensure that treatment decisions are based on good medical practice and take into consideration the individual patient circumstances.

Under *Jones v. Kodak*, health plans do not need to disclose to potential or even current enrollees the specific criteria they used to determine whether a patient will get treatment. There is no requirement that a health plan use guidelines that are applicable or appropriate to a particular patient's case.

Despite these limitations, Jones compels external reviewers to follow the plan's inappropriate treatment guidelines because to do otherwise would violate the sanctity of ERISA. And finally, plans following their own criteria, no matter how misguided, are shielded from court review since, as the court in the Jones case noted, this is a plan design issue and is therefore not reviewable under ERISA.

If Congress, through patient protection legislation, does not act to address this issue, many more patients will be left with no care and no recourse. *Jones v. Kodak* sets a chilling precedent making health plans and the treatment protocols untouchable. The case in effect encourages health plans to concoct rigid and potentially unreasonable criteria for determining when a covered benefit is medically necessary.

□ 2045

That way, they can easily deny care and cut costs, all the while insulated from responsibility for the consequences of their actions.

For example, a plan could promise to cover cleft lip surgery for those born with that birth defect, but they could put in undisclosed documents that the procedure is only medically necessary once the child reaches the age of 16; or that coronary bypass operations are only medically necessary for those who have previously survived two heart attacks. Logic and principles of good medical practice would dictate that that is not sound health care, but this case affirmed that health plans do not have to consider medicine at all. They can be content to consider only the bottom line.

Unless Federal legislation addresses this issue, patients will never be able to find out what criteria their health plans use to provide care and external review. They will be unable to pierce those policies and reach independent decisions about medical necessity of proposed treatment using clinical standards of care. ERISA will prevent courts from engaging in such inquiries too. The long and the short of the matter is that, increasingly, sick patients will find themselves without proper treatment and without any recourse.

To illustrate these dangers, let me give you a hypothetical case. Imagine a plan that proudly states in its enrollment materials that it has the best mental health benefits in the field, and, in fact, their benefit package includes longer inpatient mental health benefits than other area insurers. But the plan contracts with a managed mental health care company who states that inpatient admission is only available if a person has unsuccessfully attempted suicide three times. This fact is not made known to the employer and it is not made known to the employee, who, by the way, may not have any option in terms of which plan he chooses.

So let us say an employee's son swallows a bottle of sleeping pills and is taken to the ER, where he is revived. Two days later the son tries to drink Drano, but is caught by his mother before ingesting any. The family calls the plan, asks for an inpatient mental health admission, but, using the "three tries" criteria, coverage is denied.

Unable to afford inpatient care themselves, the family returns home, hoping to keep a careful watch on this son, maybe to get him some outpatient counseling. But 3 days later, you know, three times a charm, the boy sneaks into the woods and, with a kitchen knife, he slits his wrists and bleeds to death.

What remedies would that family have? According to the court in the Jones case, none. The plan followed its own criteria. The Jones decision makes it clear that the written criteria for medical necessity are considered part of the contract, even if not disclosed to that family, and, no matter how unreasonable the criteria may seem to an independent review panel, that body is bound to decide the case based on whether the plan followed its own definition of medical necessity. And even if the plan's criteria for defining medical necessity is arbitrary and contrary to common medical practice, a court cannot review that matter because it is an issue of plan design.

Madam Speaker, the Jones decision is an HMO road map on how to deny medically necessary care at no risk, and Congress must pass legislation, and the sooner the better, to ensure that external reviewers are not bound by the plan's concocted definitions of medical necessity. Anything less than that is a mockery of legislation promising patients an independent external review.

Madam Speaker, I have introduced legislation, H.R. 719, the Managed Care Reform Act, which addresses the very real problems in managed care. It gives patients meaningful protections, it creates a strong and independent review process, and it removes the shield of ERISA which health plans have used to prevent State court negligence actions by enrollees who are injured as a result of that plan's negligence.

This bill has received a great deal of support and has been endorsed by consumer groups like the Center for Patient Advocacy and the American Cancer Society and the American Academy of Family Physicians. It has received strong words of support from groups like the America Medical Association and multiple other organizations.

Madam Speaker, we need to move this legislation. Every day that we wait, we have a similar circumstance to what happened to little Baby James. But I want to focus on one small aspect of my bill, specifically the way in which it addresses the issue, the Employee Retirement Income Security Act.

It is alarming to me that ERISA combines a lack of effective regulation of health plans with a shield for health plans that largely gives them immunity from liability for negligent actions. Personal responsibility has been a watchword for this Republican Congress, and this issue should be no different. Health plans that recklessly deny needed medical service should be made to answer for their conduct. Laws that shield entities from their responsibility only encourage them to cut corners. Congress created that ERISA loophole, and Congress should fix it.

My bill has a new formulation on the issue of health plan liability. I continue to believe that health plans that make negligent medical decisions should be accountable for their actions, but a winning lawsuit is of little consolation to a family who has lost a loved one. The best HMO bill assures that health care is delivered when it is needed.

Madam Speaker, I also believe that the liability should attach to the entity that is making medical decisions. Many self-insured companies contract with large managed care plans to deliver care. If the business is not making those discretionary decisions, they should not face liability, and that is a provision in my bill. But if they cross the line and they determine whether a particular treatment is medically necessary in a given case, then they are making medical decisions and they should be held accountable for their actions.

To encourage health plans to give patients the right care without going to court, my bill provides for both an internal and external appeals process that is binding on the plan, and an external review could be requested by either the patient or the plan.

I foresee some circumstances where a patient is requesting an obviously in-

appropriate treatment, like laetrile for cancer, and the plan would want to send the case to an external review that will back up their decision and give them an effective defense if they are ever dragged into court to defend that decision.

When I was discussing this idea with the CEO of my own Blue Cross plan back in Iowa, he expressed support for this strong external review. In fact, he told me that Iowa Wellmark is instituting most of the recommendations of the President's Commission on Health Care Quality and he did not foresee any premium increases as a result. Mostly what it meant, he told me, was tightening existing safeguards and policies. He also told me that he would support a strong independent external review system like the one in my bill, but, he cautioned, if we did not make the decision and are just following the recommendation of the review panel, then we should not be liable for punitive damages.

I agree with that. Punitive damage awards are meant to punish outrageous and malicious conduct. If a health plan follows the recommendation of an independent review board composed of medical experts, it is tough to figure out how they have acted with malice. So my bill provides health plans with a complete shield from punitive damages if they promptly follow the recommendation of an external review panel.

That, I think, is a fair compromise on the issue of health plan liability. I sure suspect that Aetna wishes they had had an independent peer panel available even with the binding decision on care when it denied care to David Goodrich. Earlier this year a California jury handed down a verdict of \$116 million in punitive damages to his widow. If Aetna or the Goodriches had had the ability to send the denial of care to an external review, they could have avoided the courtroom; but, more importantly, David Goodrich might still be alive today.

That is why my plan should be attractive to both sides. Consumers get a reliable, quick, external appeals process which will help them get the care they need. They can go to court to collect economic damages like lost wages and future medical care, and non-economic damages like pain and suffering. If the plan fails to follow the external review decision, the patient can then sue for punitive damages.

Health insurers, whose greatest fear is \$50 million or \$100 million punitive damage awards, can shield themselves from those astronomical awards, but only if they follow the recommendations of an independent review panel, which is free to reach its own decision on what care is medically necessary.

I have heard from insurers who say that premiums will skyrocket. I think there is adequate evidence that that would not be the case. Last year the CBO estimated a similar proposal, which did not include the punitive

damages relief of my bill, would only increase premiums around 2 percent over 10 years, and when Texas passed its own liability law 2 years ago, the Scott & White Health Plan estimated premiums would have to increase just 34 cents per member per month to cover the cost. Those are hardly alarming figures. The low estimate by Scott & White seems accurate, since only one suit has been filed against the Texas health plan since the law was passed. That is far, Madam Speaker, from the flood of litigation that the opponents predicted.

I have been encouraged by the positive response my bill has received, and think that this should be the basis for a bipartisan bill this year. In fact, the Hartford Courant, a paper located in the heart of the insurance country, ran a very supportive editorial on my bill by John MacDonald.

Speaking of the punitive damages provision, McDonald called it "a reasonable compromise." He urged insurance companies to embrace the proposal as "the best deal they see in a long time."

Madam Speaker, I include the full text of the editorial by John MacDonald for the RECORD at this point.

[From the Hartford Courant, Mar. 27, 1999]

A COMMON-SENSE COMPROMISE ON HEALTH CARE

(By John MacDonald)

U.S. Rep. Greg Ganske is a common-sense lawmaker who believes patients should have more rights in dealing with their health plans. He has credibility because he is a doctor who has seen the runaround patients sometimes experience when they need care. And he's an Iowa Republican, not someone likely to throw in with Congress' liberal left wing.

For all those reasons, Ganske deserves to be heard when he says he has found a way to give patients more rights without exposing health plans to a flood of lawsuits that would drive up costs.

Ganske's proposal is included in a patients' bill of rights he has introduced in the House. Like several other bills awaiting action on Capitol Hill, Ganske's legislation would set up a review panel outside each health plan where patients could appeal if they were denied care. Patients could also take their appeals to court if they did not agree with the review panel.

But Ganske added a key provision designed to appeal to those concerned about an explosion of lawsuits. If a health plan followed the review panel's recommendation, it would be immune from punitive damage awards in disputes over a denial of care. The health plan also could appeal to the review panel if it thought a doctor was insisting on an untested or exotic treatment. Again, health plans that followed the review panel's decision would be shielded from punitive damage awards.

This seems like a reasonable compromise. Patients would have the protection of an independent third-party review and would maintain their rights to go to court if that became necessary. Health plans that followed well-established standards of care—and they all insist they do—would be protected from cases such as the one that recently resulted in a \$120.5 million verdict against an Aetna plan in California. Ganske, incidentally, calls that award "outrageous."

What is also outrageous is the reaction of the Health Benefits Coalition, a group of business organizations and health insurers that is lobbying against patients' rights in Congress. No sooner had Ganske put out his thoughtful proposal than the coalition issued a press release with the headline: Ganske Managed Care Reform Act—A Kennedy-Dingell Clone?

The headline referred to Sen. Edward M. Kennedy, D-Mass., and Rep. John D. Dingell, D-Mich., authors of a much tougher patients' rights proposal that contains no punitive damage protection for health plans.

The press release said: "Ganske describes his new bill as an affordable, common sense approach to health care. In fact, it is neither: It increases health care costs at a time when families and businesses are facing the biggest hike in health care costs in several years."

There is no support in the press release for the claim of higher costs. What's more, the charge is undercut by a press release from the Business Roundtable, a key coalition member, that reveals that the Congressional Budget Office has not estimated the cost of Ganske's proposal. The budget office is the independent reviewer in disputes over the impact of legislative proposals.

So what's going on? Take a look at the coalition's record. Earlier this year, it said it was disappointed when Rep. Michael Bilirakis, R-Fla., introduced a modest patients' rights proposal. It said Sen. John H. Chafee, R-R.I., and several co-sponsors had introduced "far left" proposal that contains many extreme measures. John Chafee, leftist? And, of course, it thinks the Kennedy-Dingell bill would be the end of health care as we know it.

The coalition is right to be concerned about costs. But the persistent No-No-No chorus coming from the group indicates it wants to pretend there is no problem when doctor-legislators and others know better.

This week, Ganske received an endorsement for his bill from the 88,000-member American Academy of Family Physicians. "These are the doctors who have the most contact with managed care," Ganske said. "They know intimately what needs to be done and what should not be done in legislation."

Coalition members ought to take a second look. Ganske's proposal may be the best deal they see in a long time.

Madam Speaker, it is also important to state what this bill does not do to ERISA plans. It does not eliminate ERISA or otherwise force large multistate health plans to meet the individual consumer protection and benefit mandates of each State. This is a very important point.

Just last week I had representatives of a large national company, headquartered in the upper Midwest, in my office. They urged me to rethink my legislation because, they alleged, it would force them to comply with the benefit mandates of each State and that the resulting rise in costs would force them to discontinue offering health insurance to employees.

Frankly, Madam Speaker, I was stunned by their comments, because their fears were totally incorrect and misplaced. It is true that my bill would lower the shield of ERISA and allow plans to be held responsible for their negligence; but, Madam Speaker, it would not alter the ability of group health plans to design their own benefits package.

Let me be absolutely clear on this point: The ERISA amendments in my bill would allow States to pass laws to hold health plans accountable for their actions. It would not allow States to subject ERISA plans to a variety of health benefit mandates or additional consumer protections.

Madam Speaker, there are other pressing issues that require our prompt attention. In particular, the crisis in the Balkans is becoming a humanitarian tragedy of unspeakable proportions. Congress should exercise its constitutional responsibility and decide whether to authorize the use of ground troops, and I am very pleased Congressman CAMPBELL will be bringing this to the floor tomorrow.

However that vote turns out though, we must not turn our backs on our own domestic problems. It would be irresponsible of Congress to ignore the people that are being harmed daily by medically negligent decisions by HMOs around the country. The need for meaningful patient protection legislation continues to fester every day.

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And to repeat, Madam Speaker, I have recently heard that the leadership of the House is not going to allow debate on patient protection until October at the earliest. Why the delay? We could move this in committee next month. We could bring this to the floor before the August recess, and we should. The clock is ticking, Madam Speaker, and patients' lives are on the line.

Madam Speaker, I look forward to working with all of my colleagues to see that passage of real HMO reform legislation is an accomplishment of the 106th Congress that we can all go home and be proud about. I urge my colleagues to cosponsor H.R. 719, the Managed Care Reform Act of 1999.

ALTERNATIVE SOLUTIONS FOR SOLVING THE CONFLICT IN KOSOVO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 60 minutes.

Mr. WELDON of Pennsylvania. Madam Speaker, I rise this evening to continue the discussion on the situation that we face in Kosovo, and what I think is an historic opportunity that hopefully we have not yet missed to solve that crisis without putting our troops into further harm's way.

In fact, today, Madam Speaker, the President called up 2,116 military reserve troops to active duty and authorized 33,000 reservists to be called up in the near future. The air war continues, the bombing and the destruction continues, yet the resolve of the Serbs seems to also continue with no end in sight.

Many of us are concerned that we do not have a solid plan to end the con-

flict and that we do not have a strategy to win the conflict. Therefore, this continuing escalation of the aerial assault on the former Yugoslavia causes a great deal of concern for our colleagues on both sides of the aisle.

Tomorrow, Madam Speaker, we are going to be asked to vote on one of several alternatives, including the War Powers Act resolution to withdraw our troops from the former Yugoslavia. A second alternative is to declare war against Yugoslavia, and a third option is an alternative that would have us say to the administration that no dollars can be expended for the insertion of ground troops unless the Congress has given its approval.

Now, we all know, Madam Speaker, that these resolutions may or may not pass, but this administration will continue on its course. They have not consulted with the Congress in the past; I do not think that is going to change. I think we are going to continue to see a movement that is aggressively pursuing the aerial campaign and eventually, perhaps, the insertion of ground troops. If that time comes, Madam Speaker, we face some very dangerous prospects.

One only has to look at history to understand how the Serbs stood up against Hitler from the period of 1941 to 1945. Even though the Germans had not only their 22 divisions but the help of 200,000 Croatians, Slovenian and Bosnian Muslim volunteer auxiliaries, they were able to repel Hitler, they were able to retain the control of their land and, in fact, in the end, they won a victory.

Now, I am not saying that if we get involved in a direct confrontation with Serbia that we cannot win. Make no mistake about it, we can. We have the finest fighting force in the world, and with the help of our NATO allies, I am sure we could prevail, but it would not be without cost. Furthermore, Madam Speaker, what really concerns me is the position that perhaps we will put the Russians in.

Russia has already indicated it will not honor our naval blockade that is designed to prevent additional oil supplies from getting into Serbia to resupply the military and the economy. Russia could be put into a position where it is asked to protect the resupply efforts to get food and necessary materials into Serbia. In either of those cases, we set up a situation where the United States and Russia could come into direct conflict, perhaps even hostile action, our troops against theirs, the NATO troops against the Russians and the Serbs. That would be catastrophic. Again, not because I do not think we would win that battle, because I think we would. But the toll that it would take in loss of life and the ending result of us then having to control the former Yugoslavia and partition it and the extensive amount of investment that we would have to make leads me to believe that that is not the right course for us to be taking.

Madam Speaker, there is an alternative. Almost one month ago I first proposed that alternative. In fact, in the first week of April I sent out "Dear Colleague" letters and a press release calling for this administration to involve the leadership in Russia in a more direct way, to get the Russian government and the Russian officials to help us bring Milosevic to the table. I felt very simply that Russia owed us that, partly because we are putting almost \$1 billion a year into Russia's economy, all of which I support. We are providing food supplies to the Russian people. But I also think with that aid comes a responsibility for Russia to assist us in bringing Milosevic and the Serbian leadership to the table so that we can try to find a way to end this conflict short of an all-out ground war.

Interestingly enough, Madam Speaker, the Russians agree with us. In fact, Madam Speaker, Russia has made overtures to us that they would like to provide the assistance of both the government and the parliamentarians to help bring Milosevic to understand that this conflict must end and that he must agree to world opinion and the NATO guidelines that have been established to allow the Kosovar people to return to their homelands, to withdraw his troops, to agree to the ability of the Kosovar people to live without fear and intimidation and without the ethnic cleansing that has occurred, and to allow the establishment of a multinational ground force to monitor compliance with the peace agreement.

In fact, Madam Speaker, I did two special orders on April 12 and 13 where I outlined in great detail my concerns about the conflict and the need to get Russia involved. Well, Madam Speaker, we have had that opportunity and I want to outline that in detail tonight.

Over three weeks ago I was contacted by my friends in the Russian Duma. As my colleagues know, five years ago I asked for the support of then Speaker Gingrich to approach the Russian Speaker, Seleznyov on the day that he was sworn into the Speaker's position to propose the establishment of a new direct relationship between the parliaments of our two nations, the Russian Duma and the American Congress. The Russian side accepted and Speaker Gingrich and Minority Leader GEPHARDT also accepted, and for one year, working with my counterpart in the Russian Duma Vladimir Luhkin, the chairman of the International Affairs Committee and former Ambassador from the Soviet Union and Russia to the U.S., we met and established the parameters for our meetings. I made it crystal-clear that in all of our discussions with the Russians, all the factions, all of the political factions in Russia must be involved. Not just the mainstream factions like the Our Home Russia party, the Yabloko party, and the People's Power party, but also the Communists who in fact control the majority or the largest sector of the Duma in terms of votes. The re-

gional coalition, the Agrarian faction and even the LDPR faction, which is the Liberal Democratic party of Vladimir Zhirinovskii. The Russians agreed to that.

Over the past five years, we have had numerous face-to-face meetings with our Russian counterparts in Moscow and in Washington. Time and again we have discussed difficult issues, trying to find common ground. Many times we have found areas where we can agree. Sometimes we found areas that we cannot agree. But we have developed a friendship and relationships that allow us to discuss difficult issues with a feeling of mutual respect and admiration.

So it was not surprising to me, Madam Speaker, that over three weeks ago senior leaders from the Russian Duma would approach me as they did, ask me to begin a dialogue of possible ways to avoid the escalation of the Kosovo conflict and to also find ways to try to bring an end to the situation on the terms established by our country and NATO.

Now, I was surprised, Madam Speaker, because I said to my Russian friends, send something to me in writing, over three weeks ago. These are the three foundations that they said they thought could be the basis of further discussion to resolve the conflict in Kosovo. Number one, that Russia would guarantee that there would be no more ethnic cleansing in Kosovo or the former Yugoslavia. Number two, that Serbia must agree to all NATO conditions, including the presence of international troops in the former Yugoslavia. Russia, however, suggested that the force be comprised primarily of countries not directly involved in the bombing of the former Yugoslavia, a point that I do not disagree with. The troops would agree to stay in Kosovo for at least a period of 10 years. And number three, the Russians proposed the establishment of an inter-parliamentary group that would include the United States, Russia, and NATO countries to be formed to help monitor compliance with all agreements. And, working together, this group would cooperate with the offices of the United Nations.

Madam Speaker, these initiatives and these ideas were proposed over three weeks ago by senior Russian parliamentarians. Immediately after I received this overture, so as not to convey the impression that I was somehow operating out of the bounds of the Government of the United States, I called the Vice President's top National Security Adviser, Leon Fuerth. I briefed him on what the Russians had proposed. In discussions with him, it was agreed that I should call Carlos Pascual from the National Security Council at the White House. I did that. I sent each of these men letters outlining what the Russians had said, what I responded, and the fact that I was going to engage the Russians to try to find some way to bring us to-

gether, to try to find a common conclusion and a successful conclusion to the hostilities in Kosovo.

In fact, Madam Speaker, the following week I called the Director of the Central Intelligence Agency, George Tenet, and in a phone conversation I briefed him about the offer made by the Russians that we begin serious discussions. Also that week, Madam Speaker, I talked to Ambassador Steve Sestanovich who works directly for Deputy Secretary of State Strobe Talbott. Sistanovic has been a friend of mine for some time involved in Russian issues, and he was someone who now has the responsibility for affairs in the former Soviet States.

I said to Dr. Sestanovich, I told him about our discussions between the Russians and myself, the exchange of communications, the telephone conversations we had, and I had further discussions on an ongoing basis that weekend with one of his top assistants, Andre Lewis. The whole purpose, Madam Speaker, was to let the administration know that my discussions with the Russians were meant to provide a constructive role in trying to find a way out of this conflict, a way that would allow the Russians to use their significant leverage to allow us to find a solution in terms of the Kosovo crisis.

Also that week, Madam Speaker, I approached two Members of Congress. Neither of them were Republicans. They were both Democrats, and they are good friends of mine, people who I trust and admire, and people who I know are also trusted by the administration: The gentleman from Maryland (Mr. HOYER) and the gentleman from Pennsylvania (Mr. MURTHA).

□ 2115

The gentleman from Maryland (Mr. STENY HOYER) is my counterpart and colleague in the Russian Duma-Congress initiative. He and I travel to Russia together. He and I host the meetings with the Duma deputies when they come to Washington.

I went into the discussion with each of them about my efforts, and asked them to make contact with the administration to let the administration know my purpose. The gentleman from Maryland (Mr. HOYER) said he would talk to Secretary Talbott, and the gentleman from Pennsylvania (Mr. MURTHA) said he would try to talk to the President and/or Sandy Berger.

I took each of them at their words, and I am sure they did that, even though I heard nothing from either Sandy Berger nor from Deputy Secretary Strobe Talbott.

The discussions with the Russians continued, however, Madam Speaker, throughout that week and the weekend until finally the first Deputy Speaker of the Russian Duma, a good friend of mine, Vladimir Ryshkov, contacted me by telephone and made a verbal offer.

He said, Congressman, I think through our discussions that we may have an opportunity to find common

ground. He said, I would like you to bring a delegation of Republicans and Democrats to meet with a delegation of Russian leaders in a neutral country. He suggested that we meet in Hungary, in Budapest.

He said, in having one day of discussions, that that could be followed, assuming we were in agreement, with a prearranged trip to Belgrade, where we would meet firsthand, directly, face-to-face with Milosevic to try to convince Milosevic that Republicans and Democrats and Russians across the spectrum were united in the understanding that Milosevic must agree to NATO's terms, and that it was in Serbia's best interests to come to the table and agree with the position taken by our governments and the NATO governments.

I said to first Deputy Speaker Ryshkov, I said, Vladimir, I want to you to do five things for me before I will even raise this issue with the leadership in the country and in the Congress.

I said, number one, I want to you to put that request in writing. Give me a letter from you, as the First Deputy Speaker, asking me to arrange such a meeting.

Number two, give me a list of the Russian delegates, the Duma deputies and party leaders who would be a part of the Russian side of this effort.

Number three, give me a date certain and an exact time when we would meet as a delegation face-to-face with Milosevic in Belgrade.

Number four, get me a meeting with our POWs, so that we can tell whether or not they are safe and whether or not they are in good health.

And number 5, travel with me, the entire Russian delegation, and the American delegation to a refugee camp of our choice in Macedonia, under the supervision of our military, so that you can see with us the horror and the terrible atrocities that have been committed by Milosevic and the Serbs on the people of Kosovo.

On Wednesday of last week, Madam Speaker, Ryshkov wrote back to me and agreed to all five requests that I made. He put the request in writing. He identified the Duma deputies that would be involved in these discussions.

It was an historic group: Ryshkov himself, a member of the Nash Dom faction, the party leader for Chernomyrdin's own party.

The second member was Luhkin, a leader in the Yablako faction, a mainstream pro-west faction. In fact, Luhkin said it would have been the first time ever that the Yablako faction would insert itself into the issue of Yugoslavia, but they thought it was so important that they engaged with us in the Congress on this issue that he would come himself for these meetings, both in Budapest as well as in Belgrade.

The third member of the delegation would be sharp an off, a senior Communist leader who would have the ear and would have the support of the

Speaker of the Duma, Gennady Seleznyov, the Communist party leader who has the largest number of votes in the Duma, and he would in fact be able to represent that faction.

The fourth member of the delegation was Mr. Greshin, a member of the Peoples' Power faction, a very respected member of the Duma.

The fifth member would have been Sergei Konovalenko, the chief protocol officer of the Russian Duma and a good friend of mine.

That was the delegation, Madam Speaker, a solid group of progressive Russian leaders, not the hardline people that we have heard so much about in the past; not the people that Yeltsin referred to in the Duma as thugs and rogues, and not the people that we have heard in the West have been trivialized as nonplayers.

These are the future of Russia, good, solid leaders that want the same thing that we want in America: a stable country, stable economic growth, free democracy, and a closer, stronger relationship with the U.S.

The third request was for the date and time certain for the meeting with Milosevic. The Russians got that assurance from Milosevic's top aide. We were to have met face-to-face with Milosevic yesterday, Monday, at 1 p.m. in Belgrade. The Russians told me that they would not go into Belgrade, did they not have that commitment to meet face-to-face with Milosevic.

The fourth request was to meet with our POWs. The Russians certified to me that Milosevic had agreed with that request. We would have been the first body, even prior to the Red Cross, to meet with our POWs to make sure they were okay and to let them know that we had not forgotten them.

The last request was also agreed to. That was to have the five Russian leaders travel with us to a Macedonian refugee camp of our choice. In fact, I consulted with the State Department to obtain the location of the two most dramatic refugee camps, to let the Russians see the terrible problems that Milosevic has brought to bear on the people of Kosovo.

The Russians agreed to all of those issues. In fact, we were set up to do this this past weekend. We would have left the theater by going back to Sofia, Bulgaria. The American side would have come back to Washington. The Russians would have gone to Moscow. The following week we would have met in Washington to continue our discussions, a good-faith effort on the part of the Russians to find common ground.

Madam Speaker, all last week I could not get an answer from the administration. I called Sandy Berger three times. I told his staff what I wanted. I said I had briefed the administration, I had briefed the CIA, I had briefed the intelligence community, I had briefed the State Department, I had briefed the White House. I have not told any Republicans. This is a good-faith effort that I have gone to Democrats with to

try to find a way to reach common ground.

Sandy Berger never returned my phone calls, and neither did Strobe Talbott, until I went to the gentleman from Maryland (Mr. HOYER) again and I said to my good friend and colleague, can you help us get a face-to-face meeting with Strobe Talbott? He said, I have talked to him. You need to call him.

On Thursday, after I had briefed the gentleman from Illinois (Speaker DENNY HASTERT) in the morning and asked for his cooperation, the response of the gentleman from Illinois (Speaker HASTERT) was that he was supportive, but that I should keep working with the administration, and I told him that I was.

About 12:30 on Thursday, I finally reached Strobe Talbott, and Deputy Secretary Talbott said, I will meet with you today. I said that I wanted to bring the gentleman from Maryland (Mr. HOYER) with me.

About 1 o'clock we traveled down to the State Department and had a sandwich with the Deputy Secretary of State, and for about 1½, Madam Speaker, the gentleman from Maryland (Mr. STENY HOYER) and I met with Strobe Talbott and three of his senior staff experts on Russia to discuss the initiative in detail.

I went through all the background. I talked about the purpose, that we were not going to Belgrade to negotiate because we were not representatives of the administration, we are not Secretaries of State. That was never our intent, and that would never be our desire.

We were there to present a common, unified front, Russian elected officials, American elected officials, in solidarity to Milosevic saying that this must end, and he must understand that as individuals who both supported the President and opposed the President, we now felt it important to give him one last chance to find a way to peacefully resolve this situation, or we would go back to America and use our collective voices to bring every ounce of energy we had in finding ways to solve this situation militarily.

After the briefing, Deputy Secretary of State Talbott responded that he did not think it was a good idea, and he gave us two reasons. He said, first of all, I am concerned for your safety. I responded, Mr. Secretary, I am concerned for my safety, as well. I would not do something that I felt inside of me was going to endanger my own life, let alone the lives of my colleagues.

I felt confident, I told him, that the Russians, in going with us, along with one of the senior advisers to Milosevic on the bus ride from Hungary, from Budapest down to Belgrade, would in fact make sure we were protected. And by having the U.S. Army as our escort, we knew full well that our military would be briefed as to our whereabouts.

The second issue that was raised by Deputy Secretary of State Talbott was,

well, we think Milosevic may try to use you in this very laudable effort.

I said to Deputy Secretary Talbott, well, how would he use us? He said, well, he may try to say things that really are not your intent. My response was, Mr. Secretary, I have been in politics for 20 years. I understand that people try to use other people in politics. We were not naive.

And in fact, Milosevic only had one TV station operating. I said, how much spin can Milosevic create on our visit to Belgrade, when we were going to follow that visit by taking five of the senior leaders of the Russian political parties to a refugee camp where hundreds of western media, cameras, and reporters could photograph an interview, senior Russian officials holding the children of Kosovo refugees, speaking to the wives and daughters of husbands, fathers, sons and brothers who have been massacred by Milosevic?

Far better would we have had the western media report on our effort by that visit of the senior Russian officials than to worry about somehow Milosevic misinterpreting our attempt in going to Belgrade.

In fact, Madam Speaker, because Strobe Talbott saw that he could not convince me of his position, we ended our conversation after 1½ hours with him telling me that he would take the request of support to both Sandy Berger and to Secretary of State Madeleine Albright; that he was about to go into a meeting with the President, and he would meet with them prior to that meeting, and would call us back Thursday evening.

I had to move on this issue, Madam Speaker, because we were scheduled to leave on Saturday, if it was to come about. On Thursday night we got the word back from the State Department that it was the feeling of Secretary Albright and Strobe Talbott and Sandy Berger that we should not go to meet with the Russians, that we should not seize the opportunity to find a peaceful way to resolve this crisis.

I was extremely upset and frustrated. On Friday morning I held a press conference and announced the fact that I had called the Russians and told them that we were postponing our trip, much to our dismay. The Russians were devastated.

In fact, Ryshkov had a press conference, Luhkin had a press conference and talked about the initiative, and talked about the willingness of the Congress, Democrats and Republicans, to try to find common ground to end this conflict without additional American bloodshed, as well as bloodshed from other nations.

It was interesting, Madam Speaker, that I was scheduled at noon on Friday in advance to host the President of Ukraine for lunch. President Kuchma was in town, and as a leader of the Ukrainian American initiative, I had agreed with eight of my colleagues to host him in the lunchroom downstairs.

We did that, and following the luncheon we went to an adjacent room for a

press conference. Several members of the President's party stood up and praised president Kuchma for coming to Washington for the NATO summit, to be a part of the partnership for peace effort.

One of my colleagues praised president Kuchma and said this, that President Kuchma and Ukraine are to be commended because they understand the role that America is taking, and they support the effort to try to find a solution to this crisis.

It is interesting, Madam Speaker, that when President Kuchma spoke, he gave his vision for a solution to the Kosovo crisis, which I will include in the RECORD.

The material referred to is as follows:

REMARKS BY PRESIDENT LEONID KUCHMA

Congressman Oberstar, Congressman Lantos and members of the press: I am delighted to be here with you today and honored to receive the distinguished leadership award from the International Management and Development Institute. Since my election I have made it my goal to ensure that Ukraine becomes and is recognized as an important partner in the global community in all facets including security, trade and cooperation. Our close relations with the United States and Europe are particularly important during this difficult time.

I have recently put forth a peace plan that calls for all sides to cease military action, a withdrawal of all Serbe security forces and a return of displaced persons under international supervision and protection. I am committed to working with all parties involved in the Balkan crisis including the United States and Russia to ensure a speedy and just resolution. I would like to express my confidence that we will continue to be partners in peace.

Thank you.

President Kuchma from the Ukraine had exactly the same solution proposed by the Russians 3½ weeks ago that was praised by members of the President's own party at the press conference on Friday afternoon.

Very upset by the fact that we had to cancel or postpone the trip to meet with the Russians, over the weekend I continued to have a dialogue with my Russian colleagues.

□ 2130

Deputy Ryshkov came back and said he still had a desire to meet. I said that I thought that was something we should do, and on Monday morning of this week, yesterday morning, I proposed that this week we meet again; that this time we meet in a European capital, perhaps Vienna, perhaps Sofia, but a capital that is from a nonaligned area where both our Russian friends and Americans, of both Republican and Democrat persuasions, can come together and see if we cannot find common ground.

Madam Speaker, that meeting will take place on Friday, and at this point in time I believe it will be held in Vienna. We will meet in a frank and candid manner, informally. We are not representing the U.S. Government. We are not negotiating on behalf of this President. We are not negotiating on

behalf of Secretary Albright. In fact, we are doing what Strobe Talbott suggested in our meeting on Thursday was proper and appropriate, and that is continuing a dialogue with our Russian colleagues in the Duma.

The dialogue will focus on whether or not we, as Americans, Democrats and Republicans, and Russians of the seven major factions in the Duma, can come together in a common solution that Russia can live with and that Russia feels they can convince Milosevic to accept and, at the same time, an agreement that retains the dignity and the respect of NATO and our government.

Madam Speaker, I think that is possible. I see the real difficult issue right now not in getting the Russians to agree that NATO's initiatives, its 5-point plan, should be agreed to. The Russians have already said that they understand the need for NATO to play that key role.

The key issue for the Russians and for Milosevic and the Serbs is their contention that the multinational ground force that is put into place to enforce the agreement should not include any ground troops from those countries that are currently bombing Serbia. Obviously, that includes the U.S. and Great Britain, because our two nations are flying almost 90 percent of the bombing sorties in the former Yugoslavia.

Now, Madam Speaker, personally, I do not have a problem with that. In fact, I think it is the right thing to do. If Britain and America are completing 90 percent of the bombing sorties, I think it only fair that the multinational force on the ground should be made up primarily of European countries, and, in this case, NATO countries.

Now, the Russians have even gone so far as to suggested where some of those troops might come from. They suggested Greece, the Netherlands, Poland, and Albania. They even suggested Russia itself would put troops in, if that be our desire. The key issue for us is convincing the Russians and having them convince the Serbs and Milosevic that the oversight of that international peacekeeping effort must involve NATO and must involve the U.S.

Madam Speaker, we have an opportunity to resolve this crisis without further bloodshed. I was hoping, Madam Speaker, that we would not have to vote tomorrow on these resolutions, because they are not the kind of resolutions that are constructive in this debate. I was hoping, and I proposed to our leadership and I am going to propose to the Committee on Rules, as I did to the Committee on International Relations today, that tomorrow we postpone the actual vote on these resolutions until next week, to give a delegation of this body a chance to reach out with our Russian colleagues to see whether or not we can come to agreement on a common agenda for peace that maintains and retains the dignity of NATO and the United

States, and also allows Russia to play that critical role in leveraging Milosevic and the Serbs to come to the table.

I am confident that we can do that, Madam Speaker, because I understand the intensity of the Russians in their conversations with me. And I understand the fact that they are talking to some of Milosevic's most senior advisers, people who are helping to fund his regime in Belgrade, people who are supporting him politically. They now have come to the belief that we have to find some common way out of this situation, short of a continuation of this massive aerial assault and, eventually, the insertion of American and allied troops in what will be a costly and bloody ground war.

Madam Speaker, we should not lose this opportunity. The Russians have come to the table. I think we should take them up on this initiative.

Now, some would say, wait a minute; on Saturday Chernomyrdin was sent to Belgrade to discuss with Milosevic the terms of a possible settlement. We welcomed that, Madam Speaker. That was critically important. And, in fact, when I talked to Ryshkov I asked about that, and he said that Chernomyrdin was entirely supportive of the efforts of the Duma to work with us to continue to explore common ground. In fact, he also said that not only was Chernomyrdin supportive, but also supportive of the leader of the Communist faction Seleznyov; an unbelievable opportunity to bring all the factions together to try to find a common solution.

Those who follow Russia understand that Yeltsin right now is very unpopular. His popularity in Russia is below 10 percent. He only hangs onto his title but does not enjoy the broad-based support of the Russian people. Our administration, Madam Speaker, has been working for the last 7 years and up until this day with the Yeltsin government, with Chernomyrdin. Our initiative does not just stop with the Yeltsin government. We bring in all the other factions: the Communist faction, the Yablako faction, the Nosh Dom faction, the People's Power faction, the agrarians, the regional faction, and even the LDPR, and we present a broad-based coalition of the future of Russia. Not the past of Russia, not the Yeltsin government, which is on its way out this year, but the future of Russian government, those parties from where the leadership of Russia will come in the elections to be held later this year.

Our goal is to engage that new group of leaders to find a way that we can come together that retains the dignity of NATO and the dignity of our government. This was not, in any stretch of the imagination, an attempt to undermine the hard work being done by this administration. And I applaud the efforts that are now underway and the recent visit, after our meeting on Thursday with Strobe Talbott, the de-

ployment of Strobe Talbott to Moscow over the weekend, where he has held meetings with Chernomyrdin.

What I am saying, Madam Speaker, is that this Congress can play and should play a legitimate role. We have an opportunity that we must not let pass by, and I would ask our colleagues to rise up with one voice to both Democrat leaders and Republican leaders and say the time for partisanship is over. We have a bipartisan opportunity, with Democrats and Republicans working together, to reach out to our colleagues in the Duma of all factions and find common ground to let the Russians exert their leverage over Milosevic to end this crisis in a peaceful way.

I see my good friend and colleague has arrived. He was one of those that I first went to last week after I went to the gentleman from Maryland (Mr. HOYER) and the gentleman from Pennsylvania (Mr. MURTHA). The third Democrat that I approached was the gentleman from Hawaii (Mr. NEIL ABERCROMBIE). He had just returned from Kosovo. He knew the situation firsthand. I value his judgment and his respect among his colleagues, not just on his side but in the entire Congress.

I wanted the gentleman from Hawaii involved. Along with the gentleman from Hawaii, I approached the gentleman from Illinois (Mr. ROD BLAGOJEVICH), and I did so because the Chicago Democrat is the only one I know of with an ethnic Serbian heritage. I felt it was critically important to have him involved in this effort as well. And I also approached the gentleman from New York (Mr. MAURICE HINCHEY) because he had accompanied me on a trip to Russia in December and I was impressed with his willingness to work with the Russians.

These were the five Democrats I approached, Madam Speaker, before I approached even one Republican. This was an attempt at bipartisanship, and I hope that we can continue to build momentum, to show the world that we do not want this to end up in war but we do want to resolve this conflict peacefully.

Madam Speaker, I yield to my good friend and colleague from Hawaii.

Mr. ABERCROMBIE. Madam Speaker, I thank the gentleman very much, and I particularly want to at this time commend the gentleman from Pennsylvania (Mr. WELDON), although I know he never looks for that kind of approbation because he is devoted to his duty here in the Congress of the United States, but, nonetheless, I want to indicate the great affection and personal regard I have for him, not only on the basis of his commitment to his duties but on the basis of his commitment to us here in the Congress and trying to resolve this issue in a manner that can be seen as honorable by all parties concerned.

I would like to enter, Madam Speaker, into a little bit of a dialogue with the gentleman from Pennsylvania on

the basis that all of us who are consumed by this issue virtually daily now may be very familiar with the terms of our discussion, the terms of our dialogue, perhaps even the context within which we hope a dialogue will be taking place not only in the Congress but perhaps internationally as well; but not all of our colleagues necessarily may be familiar with all the terms and the individuals, all the particular contexts, and certainly those who may review the record and hear us speaking may not be entirely familiar. So what I would like to do, if it is all right with the gentleman from Pennsylvania, is perhaps engage him in a bit of discussion that will, hopefully, illuminate some of the details.

Mr. WELDON of Pennsylvania. Absolutely.

Mr. ABERCROMBIE. I think it is crucial for us to understand that this is not some kind of, even if it is bipartisan, it is not some kind of a bipartisan rump group that may have suddenly come together in an ad hoc way, attempting to substitute itself for either the State Department or the administration or, for that matter, the will of the Congress.

I think that is an accurate statement, and we need to flesh it out a little bit in order to make clear that that kind of an accusation or that kind of a conclusion that someone might draw superficially is inaccurate.

The reason I say that it is inaccurate is there not a Duma-Congress working group formally established between the Congress of the United States, the House of Representatives for certain, and members of the Duma that actually has a working relationship which, in fact, has been taking place over some period of time now, not only in Russia but in the very halls of the Congress.

Mr. WELDON of Pennsylvania. In fact, the gentleman is absolutely correct. As I mentioned at the outset, this initiative was supported initially by both Speaker Gingrich and the minority leader, the gentleman from Missouri (Mr. GEPHARDT), and has had the highest support of the senior leadership of the Russian Duma, Speaker Seleznyov. There was an exchange of letters and a formal process established.

The gentleman from Maryland (Mr. HOYER), is the Democrat co-chair; I am the Republican co-chair. We have met on a regular basis, twice a year, once in Russia, once in this country, and we have discussed serious issues that in some cases are really issues involving our two foreign affairs agencies in operations or issues involving the presidents.

Our role has never been to try to give the impression that we were speaking for anyone other than ourselves in that relationship.

Mr. ABERCROMBIE. So the individuals involved here have been those who have expressed an interest in trying to take up the challenge that has been

presented to us with the ending of the Cold War in order to establish relations between Russia, not the former Soviet Union, but Russia and the Newly Independent States with the United States of America in a manner and in a context which will help to establish not only peaceful relations but relations which will help to bring stability.

Mr. WELDON of Pennsylvania. In fact, I would say to the gentleman that not only is that the case and that that has been our mission, I can provide for the record to any Member who would so choose, statements from former Secretary of Defense Perry, current Secretary of Defense Cohen, current Ambassador for the U.S. in Moscow, Jim Collins, and a whole host of other people who have issued praise for the work that we have undertaken in building long-term, more stable relationships because of our efforts.

In fact, when the gentleman from Maryland (Mr. HOYER) and I met with Strobe Talbott, he spent 10 minutes of that discussion praising us for the work that we have been doing, telling us how important that work is for his job at the State Department in negotiating with Russia, telling us how important it is for the President to have a supporting congressional group.

In fact, during the Gore-Chernomyridin Commission of 5 years ago, when we established this, it was Vice President GORE and Victor Chernomyrdin who had us stand alongside them, and said we are proud to see the formation of a formal working relationship because it is so critically important for solving the long-term problems we face.

And a further example of our efforts in the area of relations involving foreign affairs was when the Russian Duma did not support President Clinton's bombing of Baghdad and the bombing of Saddam Hussein.

□ 2145

I agreed on behalf of the administration to travel to Moscow and to meet with Duma deputies as a citizen and as a parliamentarian to convince them of why I was supporting the President. I was not there to negotiate. I was there to convince them of the President's position.

And when they came over to America, Luhkin chaired a six-member delegation from the Duma from all factions. The first stop he made after he landed at Dulles Airport was in my office. They spent 2 hours one night, where I dialogued with them, I showed them evidence, and I tried to convince them of the reason why I, as a Republican, supported the President and his position in dealing with Saddam Hussein.

So anyone that would somehow misconstrue what we are doing can be totally refuted by the facts.

Mr. ABERCROMBIE. So this is not, in fact, a paper organization or merely something that was signed for the pro forma effect, but rather a working rela-

tionship that, if I remember correctly, just this year had over in the Rayburn Building a formal meeting complete with simultaneous translators and minutes being kept of exchanges between the Duma and Members of the United States Congress.

Mr. WELDON of Pennsylvania. Madam Speaker, in fact, I would tell my colleague not only is he true and correct, but when I led a delegation in December to Moscow for our part of the exchange, we were the first western Democratic parliament to be taken into the Duma chambers while they were in session, not something that would never happen in this body because of our House rules.

The Speaker of the Duma who was conducting this session with the Duma members in attendance, and they seat 450 in that auditorium, saw us up in the balcony, stopped the proceedings, and announced that up in the balcony were the Democrat and Republican Members of the American Congress who were working together with the Duma deputies to find common solutions to common problems.

The Duma then gave us a standing ovation and stopping their proceedings in acknowledging our presence and the importance of our work.

Mr. ABERCROMBIE. And is not one of the reasons, then, that we are trying to pursue this particular course, regardless of the individual items right now which may not make up an agenda that we might want to present, is it not the case, then, that what we are trying to do here with what might be called a Balkan working group is to try to take advantage then of the good relations that have been built up, to try to take advantage of the opportunity that exists as parliamentarians, fellow parliamentarians, reaching out to them to ask for them to utilize their good offices in this instance?

It is not us dictating a particular set of terms or acting as some kind of front men for any particular stands or positions that have been concocted in one venue or another, but rather that we are making a good-faith effort to reach out to in this instance particularly members of the Duma, to ask them to utilize a diplomatic effort which has a long history, a long and honorable history, that is to say the utilization of good offices and in this instance with the Government of Yugoslavia?

Mr. WELDON of Pennsylvania. Absolutely. In fact, my good friend and colleague knows my reputation. I am one of Russia's strongest critics. In fact, it was not too long ago I was on this floor offering a bill strongly opposed by the administration that would in fact require us to deploy a national missile defense.

Mr. ABERCROMBIE. Yes. I had to explain myself ever since for supporting it.

Mr. WELDON of Pennsylvania. Many of our colleagues felt that this would endanger our relationship with Russia.

I am at one and the same time Russia's strongest critic on proliferation, on transparency, on strategic relationships. But I also consider myself their best friend.

The Russians believe in strength, consistency, and candor. When we are strong with them, when we are consistent, and when we are candid they want to work with us. Our relationship with the Russians has been built on that. And the reason why this is so critically important gets back to that first series of phone calls that were made to me.

Our Russian friends, the pro-Western leaders, were pleading with me saying, "CURT, you have to understand what is happening here. We have not seen the hostility toward America this bad since pre-1991. We are hearing people in the Duma who have been our friends say nasty things about America and are driving us to support the nationalists who are calling for more aggressive action on Russia's part."

They said, "You have to understand America. We are going to have our parliamentary elections this year. If this continues, you may well drive Russia into electing an entirely communist Duma and perhaps a reactionary leader of our country. That is the worst thing you want in America."

What they said is, "You have to assist us, help us find a way as supporters of our western involvement, as people who want to have stronger ties with your country, help us find a way to find that middle ground that lets you have the dignity you need and comes out with the kind of effort that you want to come out of this through NATO's negotiations but also lets us have a plan that we can convince Milosevic that he must accept."

That was the kind of message that was given to me by the Duma deputies who pleaded 3½ weeks ago for us to reach out with them and try to find this common solution.

Mr. ABERCROMBIE. In terms of our motivation, which I think is really sufficient just in the explanation that we have been giving right now on the basis of this dialog, I think that is more than sufficient to justify the effort being made.

But there may be some who are somewhat skeptical of the idea that this is a bipartisan situation or that, regardless of the sincerity that my colleague and I may have or others may have in association with this, that perhaps there is going to end up a situation in which blame will be cast and accusations will be made, fingers will be pointed.

But I think it would be fair to say, and I would be interested in the comments of my colleague or observations on my remarks, I think it is fair to say that we are concerned about whether or not this is going to work both from a practical military standpoint and from the idea also very, very important as to the future of NATO, the future of defense alliances, the future of the

United States in terms of its credibility.

The initial premises upon which the military activity was instigated included the prevention of ethnic cleansing, or certainly its alleviation, the easing of tensions in the Balkan region, and the extension of the credibility of NATO as a defensive alliance.

And I think it is fair to say for many of us in the Congress, those premises are not only not being met but we believe that unless and until an alternative resolution can be found, those premises are being undermined if not actually thwarted or contradicted. And if this situation is not resolved, if we just continue on with the bombing so that the bombing becomes its own reason for being, then we will find ourselves in a situation in which the Congress, at a minimum, let alone the people of the United States, will find themselves in a position of having to passively stand by and let events get in the saddle and ride us.

Mr. WELDON of Pennsylvania. Absolutely. To get to the first point of the gentleman, the blame game has got to end. This should not be a time, with American troops in harm's way, that we pick partisan fights back and forth over who can blame the other side the most. We are where we are.

And I would say to the gentleman, I would say that probably 99, if not all of our colleagues, 99 percent of them agree with us that the end game is the same for all of us. We all think that Milosevic's activities have been outrageous. In fact, many of us think he should be held for war crimes that are being committed by the Serbs.

We all feel that this conflict must be ended while keeping the dignity and the coordination of NATO intact. We all want to have the reputation of the U.S. intact. Our end results that all of us want are the same. The question is, how do we get there?

Do we continue this massive aerial bombing campaign? Do we allow ourselves to slide into a ground war which could pose a direct confrontation between NATO and the U.S. and Russia, which would be dangerous, or do we try to find out using whatever means we have to figure if there is an alternative?

We have a means that no one else has, and that means was established 5 years ago. We did not approach the Russians. The Russians came to me 3½ weeks ago and they pleaded with me to reach out to see if we could find a new way. And in doing this, and I want to repeat this, I talked to no Member of the Republican party. Every contact I had for the 3 weeks that I was talking to the Russians in over 20 conversations and exchanges of information were with leaders from the administration, the intelligence community, the Security Council, or Members of the other side.

It was not until last week that I spent 5 minutes briefing the gentleman from New York (Mr. GILMAN) and then

I briefed the Speaker of the House. They were the only two Republicans.

Mr. ABERCROMBIE. I was smiling a bit, because the Members of the other side, of course, are the Democrats, not the Russians.

That does highlight the point we are trying to make here that this is an effort being made by American parliamentarians with counterparts in the Russian Duma on the basis that we have a vehicle for discussion that is formally established and institutionalized between the Congress and the Russian parliament, known as the Duma, and that we want to take full advantage of that in the interest of peace.

Mr. WELDON of Pennsylvania. Absolutely, totally correct. Nothing else can be inferred from what we are doing. No one should raise the issue of arm-chair secretaries of State because that is not what we are about.

If we reach a conclusion in our discussions over the weekend with our Russian colleagues that they feel Milosevic will accept, we then have to come back and convince our Government that this is, in fact, something that they too can live with. That is not our call as to whether or not they will accept it. That is up to our Government to decide the ultimate position of the U.S.

But we do have the right as parliamentarians to negotiate with our counterparts along the lines of what we think will work but also what we think our administration would accept. If they do not accept it, that is their choice. If they do, all of us are better.

In fact, when I had originally planned to go over there, I had offered to take an employee of the State Department with me. Andre Lewis works with Steve Sestanovich and he was going to go with us so we would have a State Department spokesperson there.

I even went as far as to say this to Strobe Talbott. I said, "If we go ahead with this, you script out what you want us to say and we will read your words." There was never an attempt to try to usurp the authority of the executive branch to do its job. We are simply using contacts that we have to go a different route.

And the reason why this is so important: For the past 7 years, the relationship between Russia and the U.S. has been primarily based on two people, the two presidents, Clinton and Yeltsin. And that was great when Yeltsin was strong. Yeltsin is no longer strong. And yet we did not pursue the other power centers in Russia the way we should have.

We did in our relationship. And our strength is in those other power centers, in those other factions who will provide the future leadership of Russia. And that is why what we are doing is so important because it complements the discussions that are being held between the White House and the Yeltsin, Primakov, Chernomyrdin effort in Moscow.

Mr. ABERCROMBIE. So while we expect the administration to do its job,

we in the Congress have a job also, we in the Congress have a constitutional duty to perform, particularly when it comes to issues of war and peace, when it comes to deciding budgets and deciding directions and policies with respect to war and peace. That is, in fact, our obligation and our duty.

So it is important I think, then, as we move towards, hopefully, some opportunity to pursue the initiative that my colleague has outlined so well I think it is important that we then have as the bottom-line motivation to be understood, not only by our colleagues but by the American people, we have as the bottom-line motivation that we want the interests of the United States to be protected by all means, and there is no question about that, but that the interest of the United States of America in terms of not being an Imperial power, not being a 21st century version of old Rome, in terms of attempting to make a good-faith effort to secure the universal declaration of human rights in a meaningful way, to see to it that, as American power is exercised, it is exercised on behalf of peace and the poor and the helpless.

□ 2200

Those are not abstract philosophical elements as we see it, I believe. I think I am speaking for you as well as myself under these circumstances.

Mr. WELDON of Pennsylvania. Absolutely.

Mr. ABERCROMBIE. And those who are wanting to join with us in this effort with the Russians. We are not engaged in an academic exercise. What this is is carrying out our fundamental duty as Members of Congress, working together on behalf of the interests of the United States and the peace of the world, and to the degree, to any degree that we can advance that cause, I think then that it is our solemn and serious duty to carry forward with it. Now, I know that is acceptable to you. I hope it is acceptable to our colleagues. That is in fact our motivation, that is our interest, that is our intention. I trust that at the conclusion of tonight's special order and as we moved to the days ahead that we will be able to carry through on the task that we have set before us. My hope is that others will join us, that this is by no means an exclusive group or any kind of self-appointed points on any diplomatic spear or anything of that kind. We are just reaching out to one another in an open way with a working group based on the Duma-Congressional relationship that we hope will succeed in at least helping to form a foundation for a peaceful resolution of the current situation.

Mr. WELDON of Pennsylvania. The gentleman is absolutely correct. In fact, as he well knows, we had our first kind of like organizational meeting this evening at 7 o'clock or 8 o'clock down in the HC-6 room. We agreed that tomorrow night, we would have a second meeting and we would welcome

any of our colleagues from either party to come in and sit down with us as we strategize the way to move forward. In fact, I would ask, Madam Speaker, to insert in the CONGRESSIONAL RECORD this Dear Colleague memo that I sent to every one of the 435 House Members today which outlines in detail exactly what we have done up until now.

The text of the memo is as follows:

APRIL 27, 1999.

DUMA-CONGRESS PEACE PLAN ON KOSOVO
REBUFFED BY ADMINISTRATION; BI-LATERAL
DISCUSSIONS CONTINUE

DEAR COLLEAGUE. As you may know, late last week I was forced to cancel a proposed joint mission to Belgrade by Russian and American members of the Duma-Congress Working Group. This trip would have been the culmination of a proactive effort by many of the top leaders in Russia to solve the Kosovo without resorting to ground combat. At the eleventh hour, Deputy Secretary of State Strobe Talbott informed me that the Administration did not support the trip. Without the support of my own government, I decided to cancel the trip.

I want to give the House a full accounting of the genesis of this proposed trip, and the painstaking efforts that were made to make it a success. I firmly believe that the Clinton Administration missed a potentially historic opportunity to bring this conflict to an end without further bloodshed.

THE DUMA'S PROPOSAL

The idea of a joint U.S.-Russian delegation to Belgrade was first broached in an e-mail to me from Sergei Konovalev, the secretary of the Russian Duma, on April 8. He suggested the following be used as the basis for a joint U.S.-Russian peace proposal for Kosovo. I think you will agree that it is especially forthcoming:

1. Russia guarantees that there will be no more ethnic cleansing in Kosovo.

2. Serbia agree to all NATO conditions, including international troops in Kosovo. (Russia suggested, however, that the force be comprised primarily of countries not involved in the NATO bombing campaign.) The troops would agree to stay in Kosovo for at least ten years.

3. An interparliamentary group from Russia, the U.S. and NATO countries be formed to monitor all agreements. The group would be under the auspices of the U.N.

Amazingly, the Russians had proposed a peace agreement that complied with all the NATO demands.

The Russian parliamentarians, representing all the factions of the Duma, had just returned from a delegation trip to Belgrade. This delegation met with the entire Serbian high command, including extensive meetings with Milosevic himself. The Duma leaders felt confident that they (as friends of Milosevic) could get him to agree with these conditions.

The following week, I wrote to my Duma counterpart, Vladimir Ryzhkov (Deputy Speaker of the Duma, who would lead the Duma delegation) and made four requests of him. First, that an official invitation be extended in writing from the Duma, including the names of the entire Duma delegation. Second, that the trip to Belgrade include a face to face meeting with Milosevic himself. Third, that the Duma set up a meeting with the American POWs. Lastly, that the Duma delegation agree to accompany our delegation to a Kosovar refugee camp of our choosing.

On April 21, Deputy Ryzhkov wrote to me, with agreement on all issues.

THE DUMA VIEWPOINT

There are many reasons why the Russians were so proactive and engaging on such a

crucial issue. First, these Duma leaders, many of whom are young, well-informed and realistic about the U.S. and the west, represent the future of Russia. The tottering, unpopular and reactive Yeltsin regime represents the past. Unfortunately, this Administration has embraced Yeltsin with all the misplaced fervor with which its predecessor embraced Gorbachev. Then as now, we cling to the current regime to the detriment of our relations with other emerging power centers in Russia.

In addition, these Duma leaders are extremely wary of the rising nationalist fervor that the conflict in Kosovo has triggered in Russia. The perception that Russia is unimportant to the Kosovo operation does not sit well with Russians accustomed to superpower status. The Duma leadership is worried that Yeltsin will respond to this nationalism by taking drastic actions that could further isolate Russia from the west.

It is therefore in Russia's interest to have this conflict over quickly. The Duma leaders are realists, however. They understand that NATO has the upper hand and will only end the conflict on terms of its own choosing. That is why they are willing to support an end to the conflict largely on NATO's terms.

ATTEMPTING TO WORK WITH THE
ADMINISTRATION

Given this major breakthrough in the official Russian position, I immediately attempted to win Administration support for the joint effort. During that same week, I spoke with Leon Feurth of the Vice President's staff and NSC staff member Carlos Pascual.

During that same week, I briefed by phone CIA Director George Tenet and Ambassador Steve Sestanovich, the State Department official in charge of Russia and the Newly Independent States.

With this agreement in hand, I began to brief key Democrats to urge that they enlist the Administration's support. After several calls to National Security Adviser Sandy Berger went unreturned, Congressman Hoyer set up a face to face meeting with Deputy Secretary of State Strobe Talbott on April 22. That meeting lasted more than two hours. At that meeting Congressman Hoyer and I made clear that our goal and the Administration's goal was the same—to get Milosevic to agree to NATO's conditions. Period. We would not be there to negotiate. Our presence was critical only to demonstrate to Milosevic that Russia and the U.S. were united on this critical issue.

That same day, I briefed Speaker Hastert and Majority Leader Armer. The Speaker agreed to authorize the trip if the Administration did not object.

That evening, Deputy Secretary Talbott called to inform me that after discussions with the Secretary of State and the Secretary of Defense, the Administration would not support the joint delegation. I feel strongly that the Clinton-Gore team allowed a tremendous opportunity to slip through its fingers.

NEXT STEPS FOR U.S.-RUSSIAN COOPERATION ON
KOSOVO

I cannot understand why the Administration would reject out of hand an offer by the Russians to help NATO achieve its goals. After spending the better part of a week urging the Russians to act constructively, our government rebuffed a good-faith effort by some of the top leaders in Russia to help end the crisis on NATO's terms. To say that I am puzzled would be an understatement.

Many Republicans and Democrats want to stay the course with the Russians. In fact, the Administration itself supported the idea of the two delegations meeting in a neutral country to work out a joint agreement which could then be presented to Milosevic.

I am inclined to pursue this option—and so are our Russian counterparts. To that end, I would like to form a special House Working Group on U.S.-Russian Cooperation on Kosovo to pursue specific initiatives to help us resolve the Kosovo crisis without a ground campaign. If you would like to join me in this effort, please contact me or Erin Coyle in my office at 5-2011.

Sincerely,

CURT WELDON,
Member of Congress.

I would encourage my good friend to invite those from his side and I will invite those from my side to join us in this effort. I think not only can we play a role in engaging the Duma to show them that we appreciate their good work, but hopefully to find a commonality between us. But I think by doing this, we send the signal to both the administration and other nations that we want to find a way to resolve this conflict that leaves respect for all of us and for NATO.

I called some of the NATO governments today, Greece, Italy, Germany. I told you about the Ukraine statement of President Kuchma, trying to ascertain what their feelings are. Surprisingly, many of our allies also want to retain the strength and dignity of NATO but also want to see the kind of efforts that we are doing succeed. They do not want to see this under any circumstance result in a ground war that causes significant loss of life and could well lead to a world conflict because of the potential confrontation of the U.S. with Russia. I think we are on the right track. We know where we are going. This is not some radical effort. I could have gone over to Belgrade on Sunday. I did not have to have the permission of our government.

DUMA-CONGRESS PEACE PLAN ON
KOSOVO

The SPEAKER pro tempore (Mrs. BIGGERT). Under a previous order of the House, the gentleman from Hawaii (Mr. ABERCROMBIE) is recognized for 5 minutes.

Mr. ABERCROMBIE. Madam Speaker, I yield to the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. I thank my colleague and friend for yielding.

I would just say that we could have gone that route. We could have gone into Belgrade. We could have done that as other people have done and as people are doing right now. Jesse Jackson, I understand, is over there right now without the support of this government. We did not do that. We chose the constructive route. We will continue that route.

I just want to say in closing, I want to thank my friend and colleague for his effort, because he has received criticism on his side as I have on mine. In the end we know we are doing the right thing.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2347

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LINDER) at 11 o'clock and 47 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1569, PROHIBITING USE OF FUNDS APPROPRIATED TO DEPARTMENT OF DEFENSE FOR DEPLOYMENT OF GROUND ELEMENTS OF U.S. ARMED FORCES IN FEDERAL REPUBLIC OF YUGOSLAVIA UNLESS SPECIFICALLY AUTHORIZED BY LAW; FOR CONSIDERATION OF H. CON. RES. 82, DIRECTING THE PRESIDENT, PURSUANT TO WAR POWERS RESOLUTION, TO REMOVE U.S. ARMED FORCES FROM POSITIONS IN CONNECTION WITH PRESENT OPERATIONS AGAINST FEDERAL REPUBLIC OF YUGOSLAVIA; FOR CONSIDERATION OF S. CON. RES. 21, AUTHORIZING PRESIDENT TO CONDUCT MILITARY AIR OPERATIONS AND MISSILE STRIKES AGAINST FEDERAL REPUBLIC OF YUGOSLAVIA

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106-118) on the bill (H.R. 1569) to prohibit the use of funds appropriated to the Department of Defense from being used for the deployment of ground elements of the United States Armed Forces in the Federal Republic of Yugoslavia unless that deployment is specifically authorized by law; for consideration of the concurrent resolution (H. Con. Res. 82) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove United States Armed Forces from their positions in connection with the present operations against the Federal Republic of Yugoslavia; for consideration of the joint resolution (H. J. Res. 44) declaring a state of war between the United States and the Government of the Federal Republic of Yugoslavia; and for consideration of the concurrent resolution (S. Con. Res. 21) authorizing the President of the United States to conduct military air operations and missile strikes against the Federal Republic of Yugoslavia, which was referred to the House Calendar and Ordered to be printed.

DEBATE ON YUGOSLAVIA
RESOLUTIONS

(Mr. DREIER asked and was given permission to address the House for 1 minute.)

Mr. DREIER. Mr. Speaker, I would simply like to say that we will begin at 10 a.m. tomorrow with what should be a full day of debate on these resolutions and look forward to seeing the House work its will in a very fair and balanced way.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ENGEL (at the request of Mr. GEPHARDT) for today and Wednesday, April 28, on account of mother's open heart surgery in New York.

Ms. SLAUGHTER (at the request of Mr. GEPHARDT) for today thru Friday, May 7, on account of back surgery.

Mr. WYNN (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. McNULTY) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

Mr. ABERCROMBIE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. MINGE, for 5 minutes, today.

(The following Members (at the request of Mr. ISAKSON) to revise and extend their remarks and include extraneous material:)

Mr. GANSKE, for 5 minutes each day, today and on April 28.

Mr. KASICH, for 5 minutes, today.

Mr. SHADEGG, for 5 minutes, on April 28.

Mr. EWING, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ABERCROMBIE.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 330. An act to promote the research, identification assessment, exploration, and development of methane hydrate resources, and for other purposes; to the Committee on Science, in addition to the Committee on Resources for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported

that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 800. An act to provide for education flexibility partnerships.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 49 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 28, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1744. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits—received March 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1745. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Transportation Conformity Rule Amendment for the Transportation Conformity Pilot Program [FRL-6309-6] received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1746. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Allegheny County, Pennsylvania; Control of Landfill Gas Emissions from Existing Municipal Solid Waste Landfills [PA-107-4066c; FRL-6311-3] received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1747. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Iowa [IA 059-1059a; FRL-6310-7] received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1748. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Administrative Reporting Exemptions for Certain Radionuclide Releases [FRL-6309-3] received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1749. A letter from the Program Analyst, Office of Chief Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Restricted Areas R-2531A and R-2531B, Establishment of Restricted Area R-2531, and Change of Using Agency, Tracy; CA [Airspace Docket No. 98-AWP-30] (RIN: 2120-AA66) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1750. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives;

Airbus Model A300 and A300-600 Series Airplanes [Docket No. 98-NM-106-AD; Amendment 39-11074; AD 99-06-10] (RIN: 2120-AA64) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1751. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 and A300-600 Series Airplanes Equipped With General Electric CF6-80C2 Engines [Docket No. 96-NM-66-AD; Amendment 39-11070; AD 99-06-06] (RIN: 2120-AA64) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1752. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. 98-CE-73-AD; Amendment 39-11069; AD 99-06-05] (RIN: 2120-AA64) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1753. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-10 and MD-11 Series Airplanes, and KC-10 (Military) Series Airplanes [Docket No. 98-NM-55-AD; Amendment 39-11072; AD 99-06-08] (RIN: 2120-AA64) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1754. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757-200 Series Airplanes [Docket No. 98-NM-238-AD; Amendment 39-11052; AD 99-05-03] (RIN: 2120-AA64) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1755. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Short Brothers Model SD3-60 and SD3-60 SHERPA Series Airplanes [Docket No. 97-NM-106-AD; Amendment 39-11071; AD 99-06-07] (RIN: 2120-AA64) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1756. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace and Class E Airspace and establishment of Class E Airspace; Kenosha, WI [Airspace Docket No. 98-AGL-62] received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1757. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace and Class E Airspace and establishment of Class E Airspace; Rapid City, SD [Airspace Docket No. 98-AGL-64] received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1758. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. 98-NM-105-AD; Amendment 39-11073; AD 99-06-09] (RIN: 2120-AA64) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the

Committee on Transportation and Infrastructure.

1759. A letter from the Assistant Commissioner, Examination, Internal Revenue Service, transmitting the Service's final rule—Congressional Review of Market Segment Specialization Program (MSSP) Audit Techniques Guides—received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1760. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action on Decision in *Oshkosh Truck Corporation v. United States*, 123 F.3d 1477 (Fed. Cir. 1997)—received March 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1034. A bill to declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for purposes of title 46, United States Code, and the other maritime laws of the United States; with an amendment (Rept. 106-107). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 560. A bill to designate the Federal building located at 300 Recinto Sur Street in Old San Juan, Puerto Rico, as the "Jose V. Toledo United States Post Office and Courthouse"; with an amendment (Rept. 106-108). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 686. A bill to designate a United States courthouse in Brownsville, Texas, as the "Garza-Vela United States Courthouse" (Rept. 106-109). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 118. A bill to designate the Federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building" (Rept. 106-110). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1121. A bill to designate the Federal building and United States courthouse located at 18 Greenville Street in Newnan, Georgia, as the "Lewis R. Morgan Federal Building and United States Courthouse" (Rept. 106-111). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1162. A bill to designate the bridge on United States Route 231 that crosses the Ohio River between Maceo, Kentucky, and Rockport, Indiana, as the "William H. Natcher Bridge" (Rept. 106-112). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. S. 453. An act to designate the Federal building located at 709 West 9th Street in Juneau, Alaska, as the "Hurff A. Saunders Federal Building" (Rept. 106-113). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. S. 460. An act to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the "Robert K. Rodibaugh United States Bankruptcy Courthouse" (Rept. 106-114). Referred to the House Calendar.

Mr. GILMAN: Committee on International Relations. House Joint Resolution 44. Reso-

lution declaring a state of war between the United States and the Government of the Federal Republic of Yugoslavia (Adverse Rept. 106-115). Referred to the Committee of the Whole House on the State of the Union.

Mr. GILMAN: Committee on International Relations. House Concurrent Resolution 82. Resolution directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove United States Armed Forces from their positions in connection with the present operations against the Federal Republic of Yugoslavia (Adverse Rept. 106-116). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 850. A bill to amend title 18, United States Code, to affirm the rights of United States persons to use and sell encryption and to relax export controls on encryption (Rept. 106-117 Pt. 1).

Mr. DREIER: Committee on Rules. House Resolution 151. Resolution providing for consideration of the bill (H.R. 1569) to prohibit the use of funds appropriated to the Department of Defense from being used for the deployment of ground elements of the United States Armed Forces in the Federal Republic of Yugoslavia unless that deployment is specifically authorized by law; for consideration of the concurrent resolution (H. Con. Res. 82) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove United States Armed Forces from their positions in connection with the present operations against the Federal Republic of Yugoslavia; for consideration of the joint resolution (H.J. Res. 44) declaring a state of war between the United States and the Government of the Federal Republic of Yugoslavia; and for consideration of the concurrent resolution (S. Con. Res. 21) authorizing the (Rept. 106-118). Referred to the House Calendar.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. COBLE: Committee on the Judiciary. H.R. 850. A bill to amend title 18, United States Code, to affirm the rights of United States persons to use and sell encryption and to relax export controls on encryption. Referred to the Committees on Armed Services, Commerce, and Intelligence (Permanent) for a period ending not later than July 2, 1999, for consideration of such provisions of the bill as fall within the jurisdictions of those committees pursuant to clause 1(c) and (f), and clause 11, rule X, respectively.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 850. Referral to the Committee on International Relations extended for a period ending not later than July 2, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. COBLE:

H.R. 1565. A bill to amend the Trademark Act of 1946 relating to dilution of famous marks, and for other purposes; to the Committee on the Judiciary.

By Mrs. FOWLER (for herself, Mr. GOODLING, Mr. KASICH, Mr. BLUNT, and Mr. CHAMBLISS):

H.R. 1566. A bill to prohibit the use of funds appropriated to the Department of Defense from being used for the deployment of ground elements of the United States Armed Forces in the Federal Republic of Yugoslavia unless that deployment is specifically authorized by law; to the Committee on Armed Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING (for himself and Mr. SNYDER):

H.R. 1567. A bill to amend the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 to eliminate the restriction on assistance to Azerbaijan; to the Committee on International Relations.

By Mr. TALENT (for himself, Mr. STUMP, Mrs. MCCARTHY of New York, Mr. EVANS, Mr. QUINN, Mr. PHELPS, Mr. MORAN of Kansas, Mr. FILNER, Mr. BARTLETT of Maryland, Mrs. KELLY, and Mr. PASCRELL):

H.R. 1568. A bill to provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. FOWLER (for herself, Mr. GOODLING, Mr. KASICH, Mr. BLUNT, and Mr. CHAMBLISS):

H.R. 1569. A bill to prohibit the use of funds appropriated to the Department of Defense from being used for the deployment of ground elements of the United States Armed Forces in the Federal Republic of Yugoslavia unless that deployment is specifically authorized by law; to the Committee on Armed Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 1570. A bill to create incentives for the People's Republic of China and India to adopt a policy of restraint with respect to its nuclear activities, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAUNO:

H.R. 1571. A bill to designate the Federal building under construction at 600 State Street in New Haven, Connecticut, as the "Merrill S. Parks, Jr., Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. GORDON (for himself, Mr. SENBRENNER, and Mr. BROWN of California):

H.R. 1572. A bill to require the adoption and utilization of digital signatures by Federal agencies and to encourage the use of digital signatures in private sector electronic transactions; to the Committee on Science.

By Mr. GREEN of Texas:

H.R. 1573. A bill to amend the Immigration and Nationality Act to exempt elementary and secondary schools from the fee imposed

on employers filing petitions with respect to non-immigrant workers under the H-1B program; to the Committee on the Judiciary.

By Mr. HILLIARD:

H.R. 1574. A bill to extend the inspection requirements of the Federal Meat Inspection Act to rabbits produced for human consumption; to the Committee on Agriculture.

By Mr. HINCHEY:

H.R. 1575. A bill to amend the Electronic Fund Transfer Act to limit fees charged by financial institutions for the use of automatic teller machines, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1576. A bill to amend the Truth in Lending Act to prohibit the distribution of any negotiable check or other instrument with any solicitation to a consumer by a creditor to open an account under any consumer credit plan or to engage in any other credit transaction which is subject to such Act, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. HOSTETTLER (for himself, Mr. NORWOOD, Mr. STUMP, Mr. HAYES, and Mr. TANCREDO):

H.R. 1577. A bill to establish certain uniform legal principles of liability with respect to manufacturers of products; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOSTETTLER (for himself, Mr. ROYCE, Mr. MCHUGH, Mr. MCCREERY, Mr. ISTOOK, Mr. PAUL, Mrs. CHENOWETH, Mr. MCINTOSH, Mr. DOOLITTLE, Mr. LARGENT, and Mr. BARTLETT of Maryland):

H.R. 1578. A bill to amend the wetland conservation provisions of the Food Security Act of 1985 and the Federal Water Pollution Control Act to permit the unimpeded use of privately owned crop, range, and pasture lands that have been used for the planting of crops or the grazing of livestock in at least five of preceding ten years; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mr. BROWN of Ohio, Mr. THOMAS, Mr. GREENWOOD, Mr. BILIRAKIS, Mr. DINGELL, Mr. PORTER, Mr. YOUNG of Florida, Mr. STARK, Mr. CAMP, Mr. RAMSTAD, Ms. DUNN, Mr. NEAL of Massachusetts, Mr. PORTMAN, Mr. KLECZKA, Mr. ENGLISH, Mr. LEWIS of Kentucky, Mr. WELLER, Mr. MCINNIS, Mr. BILBRAY, Mr. WAXMAN, Mr. HALL of Texas, Mr. CALLAHAN, Mr. GREEN of Texas, Mr. DIXON, Mr. OLIVER, Ms. KILPATRICK, Mr. BACHUS, Mr. BAIRD, Mr. BALDACC, Mr. BENTSEN, Mr. BLAGOJEVICH, Mr. CAPUANO, Mr. COOK, Mr. DAVIS of Illinois, Mr. DELAHUNT, Mr. FRANK of Massachusetts, Mr. GEJDENSON, Mr. HILLIARD, Mr. INSLEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KUCINICH, Mr. LAFALCE, Mr. LATOURETTE, Mr. LARSON, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MCGOVERN, Mr. MOAKLEY, Mr. NEY, Mr. OBERSTAR, Ms. PRYCE of Ohio, Mr. RILEY, Mr. RODRIGUEZ, Mr. RUSH, Mr. SESSIONS, Ms. SCHAKOWSKY, Mr. TANCREDO, Mr. TRAFICANT, Mr. SANDLIN, Mr. SHOWS, Mr. VENTO, Mr. WEYGAND, and Mr. BECERRA):

H.R. 1579. A bill to provide for payments to children's hospitals that operate graduate medical education programs; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself, Mrs. MCCARTHY of New York, Ms. WATERS, Mrs. MINK of Hawaii, Mr. LANTOS, Ms. WOOLSEY, Mr. KENNEDY of Rhode Island, Ms. MILLENDER-MCDONALD, Ms. LEE, Mr. CONYERS, and Mr. MCGOVERN):

H.R. 1580. A bill to prohibit the sale of guns that have not been approved by the Secretary of the Treasury, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. SHAYS, Mr. LANTOS, Mr. HYDE, Mr. CONYERS, Mr. GILMAN, Mr. GEJDENSON, Mrs. MORELLA, Mr. MORAN of Virginia, Mr. CAMPBELL, Mr. BROWN of California, Mr. FRANKS of New Jersey, Mr. LEWIS of Georgia, Mr. COSTELLO, Mr. CLAY, Mr. SMITH of New Jersey, Mr. BONIOR, Mr. FARR of California, Mr. KENNEDY of Rhode Island, Ms. DELAUNO, Mr. DICKS, Mr. WAXMAN, Mr. WEINER, Mr. SHERMAN, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. WEYGAND, Ms. PELOSI, Mr. DOYLE, Mr. STARK, Mr. MEEHAN, Mr. FILNER, Mr. KILPATRICK, Mr. GEORGE MILLER of California, Mr. DEUTSCH, Mr. LIPINSKI, Mrs. MINK of Hawaii, Mr. ABERCROMBIE, Mr. PASCRELL, Mr. WEXLER, Mr. GUTIERREZ, Mr. BENTSEN, Mr. CAPUANO, Mr. BLAGOJEVICH, Ms. SCHAKOWSKY, Mr. TIERNEY, Mrs. MALONEY of New York, Ms. LOFGREN, Mrs. SLAUGHTER, Mr. PALLONE, Ms. RIVERS, Mr. NEAL of Massachusetts, Mrs. TAUSCHER, Ms. ESHOO, Ms. WOOLSEY, Ms. ROYBAL-ALVARADO, Mr. INSLEE, Ms. BALDWIN, Mr. UDALL of Colorado, Mr. DELAHUNT, and Mr. LUTHER):

H.R. 1581. A bill to end the use of steel-jawed leghold traps on animals in the United States; to the Committee on Commerce, and in addition to the Committees on Ways and Means, International Relations, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEAL of Massachusetts:

H.R. 1582. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 1583. A bill to amend the Internal Revenue Code of 1986 to make permanent law the \$5,000 first-time homebuyer credit for the District of Columbia; to the Committee on Ways and Means.

By Mr. QUINN:

H.R. 1584. A bill to prohibit the distribution or receipt of restricted explosives without a Federal permit, and to require applications for such permits to include a photograph and the fingerprints of the applicant; to the Committee on the Judiciary.

Mrs. ROUKEMA:

H.R. 1585. A bill to streamline the regulation of depository institutions, to safeguard confidential banking and credit union supervisory information, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1586. A bill to amend the Internal Revenue Code of 1986 to expand S corporation eligibility for banks, and for other purposes; to the Committee on Ways and Means.

By Mr. STEARNS:

H.R. 1587. A bill to encourage States to establish competitive retail markets for electricity, to clarify the roles of the Federal Government and the States in retail electricity markets, to remove certain Federal barriers to competition, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi (for himself, Mr. TOWNS, and Mrs. CLAYTON):

H.R. 1588. A bill to amend title 11 of the United States Code to permit all debtors to exempt certain payments receivable on account of discrimination based on race, color, religion, national origin, or gender, and for other purposes; to the Committee on the Judiciary.

By Mr. WISE:

H.R. 1589. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to provide for the establishment of school violence prevention hotlines; to the Committee on Education and the Workforce.

By Mr. TANCREDO (for himself, Mr. HEFLEY, Mr. MCINNIS, Ms. DEGETTE, Mr. SCHAFFER, and Mr. UDALL of Colorado):

H. Con. Res. 92. Concurrent resolution expressing the sense of Congress with respect to the tragic shooting at Columbine High School in Littleton, Colorado; to the Committee on Education and the Workforce.

By Ms. PRYCE of Ohio (for herself, Mr. DELAY, Mr. HYDE, Mr. MCCOLLUM, Mr. EWING, Mr. GREENWOOD, Mrs. JONES of Ohio, Mr. SCOTT, Mrs. JOHNSON of Connecticut, and Mr. GOODLING):

H. Con. Res. 93. Concurrent resolution expressing the sense of the Congress regarding the social problem of child abuse and neglect and supporting efforts to enhance public awareness of this problem; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTER (for himself, Mr. GILMAN, Mr. WOLF, and Mr. HALL of Ohio):

H. Res. 152. A resolution recognizing the commitment and dedication of members of America's humanitarian relief nongovernmental organizations and private volunteer organizations for their rapid and courageous response to recent disasters in Central America and Kosovo, and of the local nongovernmental organizations and individuals in these regions with whom they work; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. GORDON, Mr. MEEKS of New York, and Mr. PALLONE.

H.R. 8: Mr. TAYLOR of North Carolina and Mr. EHLERS.

H.R. 49: Mr. WISE, Mr. WOLF, and Mr. EDWARDS.

H.R. 51: Mrs. MYRICK.

H.R. 82: Mr. TALENT, Mr. FOLEY, Ms. MILLENDER-MCDONALD, Mr. BLUNT, and Mr. PICKETT.

H.R. 110: Mr. SISISKY, Mr. GORDON, Mrs. THURMAN, Ms. WATERS, Ms. DELAURO, Mr. ANDREWS, and Mr. PICKETT.

H.R. 120: Mr. KANJORSKI.

H.R. 123: Ms. PRYCE of Ohio, Mr. FRANKS of New Jersey, Mr. SUNUNU, Mr. HOSTETTLER, Mr. MANZULLO, Mr. KUYKENDALL, Mr. NETHERCUTT, Mr. KOLBE, Mr. PETERSON of Minnesota, Mr. HANSEN, and Mr. CRAMER.

H.R. 163: Mr. LEWIS of Georgia and Ms. HOOLEY of Oregon.

H.R. 165: Mr. LEWIS of Georgia and Mr. WEINER.

H.R. 179: Mr. DOOLEY of California, Mr. TAYLOR of North Carolina, Mrs. MINK of Hawaii, Mr. KENNEDY of Rhode Island, and Mr. CONYERS.

H.R. 205: Mr. FARR of California.

H.R. 306: Mr. CRAMER, Mr. CUMMINGS, Mr. EVANS, Mr. JACKSON of Illinois, Mr. TRAFICANT, and Mr. WEINER.

H.R. 325: Mr. CLYBURN, Mr. HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANTOS, Mr. SAWYER, and Mr. SCOTT.

H.R. 330: Mr. GARY MILLER of California and Mr. SALMON.

H.R. 380: Mr. SUNUNU, Mr. LUCAS of Kentucky, and Mr. LARSON.

H.R. 383: Mr. MCGOVERN and Ms. HOOLEY of Oregon.

H.R. 393: Mr. BERMAN and Mr. BROWN of California.

H.R. 398: Mr. DINGELL.

H.R. 399: Ms. BERKLEY.

H.R. 417: Mr. EVANS.

H.R. 443: Ms. ESHOO and Mr. UDALL of Colorado.

H.R. 483: Mr. BROWN of Ohio.

H.R. 516: Mr. DICKEY.

H.R. 518: Mr. DICKEY.

H.R. 557: Mr. KING.

H.R. 558: Mr. FOLEY.

H.R. 570: Mr. GARY MILLER of California.

H.R. 576: Mr. MEEKS of New York.

H.R. 577: Mr. GARY MILLER of California and Mr. BLUNT.

H.R. 582: Mr. WYNN.

H.R. 583: Mr. KILDEE.

H.R. 590: Mr. SANFORD.

H.R. 592: Ms. CARSON, Mr. CROWLEY, Mrs. KELLY, Mr. WATKINS, Mr. BUYER, Mr. STUMP, Mr. FORBES, Mr. ENGLISH, Mr. KING, and Mr. WEINER.

H.R. 625: Mr. GARY MILLER of California.

H.R. 644: Mr. BROWN of California.

H.R. 657: Ms. SLAUGHTER.

H.R. 682: Mr. LOBIONDO and Mr. MEEKS of New York.

H.R. 697: Mr. KINGSTON, Mr. WHITFIELD, Mr. GOODE, and Mr. NORWOOD.

H.R. 698: Mr. SUNUNU and Mr. NETHERCUTT.

H.R. 721: Mr. INSLEE.

H.R. 724: Mr. CROWLEY and Mr. BROWN of California.

H.R. 735: Mr. WHITFIELD.

H.R. 750: Mr. BARTON of Texas.

H.R. 753: Mrs. CLAYTON, Mr. WYNN, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 775: Mr. WATTS of Oklahoma, Mrs. WILSON, and Mrs. JOHNSON of Connecticut.

H.R. 793: Mr. FLETCHER.

H.R. 817: Mr. PHELPS.

H.R. 828: Ms. KAPTUR.

H.R. 833: Mr. CASTLE, Mr. JOHN, Mr. NORWOOD, and Mr. SWEENEY.

H.R. 834: Mr. UDALL of New Mexico, Mr. CRAMER, and Mr. SIMPSON.

H.R. 838: Ms. STABENOW.

H.R. 842: Mr. SAWYER and Mr. MICA.

H.R. 845: Mr. MATSUI.

H.R. 850: Mr. CROWLEY.

H.R. 894: Mr. DEMINT and Mr. DAVIS of Virginia.

H.R. 920: Mr. CROWLEY and Mr. BROWN of California.

H.R. 925: Ms. SLAUGHTER, Mr. INSLEE, and Mrs. MEEK of Florida.

H.R. 959: Mr. FALCOMA-VAEGA.

H.R. 960: Ms. SCHAKOWSKY and Mr. MOAKLEY.

H.R. 984: Mr. ARMEY, Ms. DUNN, Mr. SHAW, Mr. MCINNIS, Mr. DAVIS of Virginia, Mr.

BOEHNER, Mr. MEEKS of New York, Mr. BLUMENAUER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, and Ms. KILPATRICK.

H.R. 1020: Mr. GUTIERREZ, Mr. ROMERO-BARCELO, Mr. FROST, Mr. KLECZKA, Mr. McDERMOTT, Ms. BERKLEY, Mr. MOAKLEY, Mr. ENGLISH, Mr. STRICKLAND, Mr. LAFALCE, and Mr. SANDLIN.

H.R. 1032: Mr. THUNE, Mr. LUCAS of Kentucky, and Mr. MCINNIS.

H.R. 1037: Mr. GEORGE MILLER of California, Ms. WOOLSEY, and Mr. CAPUANO.

H.R. 1069: Mr. HALL of Texas, Mrs. KELLY, and Mr. GUTIERREZ.

H.R. 1070: Mr. PETERSON of Pennsylvania and Mr. MOAKLEY.

H.R. 1080: Mr. BRADY of Pennsylvania.

H.R. 1081: Ms. SLAUGHTER.

H.R. 1082: Mr. CLEMENT, Mr. DEFazio, Mr. KOLBE, Mr. SHAYS, Mr. BISHOP, and Mr. JACKSON of Illinois.

H.R. 1083: Mr. COOKSEY, Mr. BLUNT, and Mr. SESSIONS.

H.R. 1084: Mr. TERRY and Mr. DAVIS of Virginia.

H.R. 1085: Mr. WHITFIELD, Mr. PHELPS, Mr. GUTIERREZ, Mr. GREENWOOD, Mrs. KELLY, and Mr. WYNN.

H.R. 1086: Mr. LEWIS of Georgia, Mr. LANTOS, and Mr. CROWLEY.

H.R. 1093: Ms. ESHOO, Mr. CONYERS, and Mr. LAFALCE.

H.R. 1102: Ms. ESHOO, Mr. MCHUGH, and Mr. GONZALEZ.

H.R. 111: Mr. WISE.

H.R. 1115: Mr. MOORE, Mr. GEJDENSON, Mr. OBERSTAR, Mr. EVANS, Mr. BEREUTER, Mr. DAVIS of Virginia, Mr. DIXON, Mrs. EMERSON, Mrs. RIVERS, Mr. LEWIS of Georgia, Mr. DICKEY, Mr. HUTCHINSON, Ms. MCCARTHY of Missouri, and Mr. HILLIARD.

H.R. 1126: Mr. MEEKS of New York.

H.R. 1130: Mr. ALLEN.

H.R. 1142: Ms. DANNER, Mr. EHRLICH, Mr. ENGLISH, Mrs. MYRICK, Mr. DICKEY, Mrs. BONO, Mr. BARRETT of Nebraska, Mr. METCALF, Mr. NETHERCUTT, Mr. SESSIONS, Mr. DUNCAN, Mr. PICKETT, Mrs. EMERSON, Mr. TAYLOR of North Carolina, and Mr. DEMINT.

H.R. 1146: Mr. CRANE.

H.R. 1160: Mr. SNYDER, Mr. LANTOS, Mr. HALL of Texas, Mr. KUICINICH, Ms. KAPTUR, Mr. WYNN, and Mrs. KELLY.

H.R. 1163: Mr. DEFazio, Ms. LEE, and Ms. SLAUGHTER.

H.R. 1168: Mr. DELAHUNT, Mr. WYNN, Mr. WHITFIELD, Mr. BARCIA, Mr. LAFALCE, and Mr. OLVER.

H.R. 1180: Mr. SMITH of New Jersey, Mr. BARRETT of Nebraska, Mr. HINCHEY, Mr. PASTOR, Mr. KLECZKA, Mr. KIND, Mr. WEYGAND, Mr. MOAKLEY, Mrs. EMERSON, and Mrs. NORTHUP.

H.R. 1188: Mrs. MEEK of Florida and Mr. LAFALCE.

H.R. 1193: Mr. CROWLEY, Mr. EVANS, Mr. GUTIERREZ, Mr. KLINK, and Ms. DEGETTE.

H.R. 1215: Mr. DEFazio.

H.R. 1218: Mr. WICKER.

H.R. 1224: Mr. JEFFERSON.

H.R. 1244: Mr. LAHOOD, Mr. RYAN of Wisconsin, Mrs. NORTHUP, and Mr. NUSSLE.

H.R. 1245: Mr. ROTHMAN, Ms. KILPATRICK, Mr. BERMAN, Mrs. CHRISTENSEN, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Mr. LAFALCE, Mr. MCGOVERN, Ms. MCKINNEY, Ms. NORTON, and Ms. ESHOO.

H.R. 1248: Mrs. CLAYTON, Mr. WEYGAND, Mr. ROTHMAN, Mr. FALCOMA-VAEGA, Mr. BARRETT of Wisconsin, Mr. CARDIN, Mr. FARR of California, Mr. BRADY of Texas, Ms. SCHAKOWSKY, Mr. WYNN, Mr. GILCHREST, and Mr. POMEROY.

H.R. 1250: Mr. GUTIERREZ.
 H.R. 1256: Mr. SESSIONS, Mr. NORWOOD, and Mr. LARGENT.
 H.R. 1298: Mr. FROST and Mr. LAFALCE.
 H.R. 1299: Mr. MINGE.
 H.R. 1302: Ms. RIVERS.
 H.R. 1313: Ms. SLAUGHTER, Mr. MATSUI, Mrs. MYRICK, and Ms. JACKSON-LEE of Texas.
 H.R. 1317: Mr. MEEKS of New York, Mr. TALENT, and Mr. HINCHEY.
 H.R. 1322: Mr. EHRLICH and Mr. HASTINGS of Washington.
 H.R. 1325: Mr. BURR of North Carolina, Mr. CAMPBELL, Mrs. CHRISTENSEN, Mr. COYNE, Mr. CUMMINGS, Mrs. EMERSON, Mr. FRANK of Massachusetts, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Mr. MORAN of Virginia, Mr. OBERSTAR, Mr. SANDERS, Mr. SAWYER, Mr. UNDERWOOD, Mr. WAXMAN, and Mr. WOLF.
 H.R. 1337: Mr. HERGER, Mr. COOK, Mr. WHITFIELD, Mr. HAYWORTH, Mr. HULSHOF, Mr. ENGEL, Mr. LAFALCE, Mr. BURR of North Carolina, Mr. STARK, Mr. CUNNINGHAM, Mr. KENNEDY of Rhode Island, and Mrs. MORELLA.
 H.R. 1342: Mr. WEXLER, Ms. SLAUGHTER, Mrs. MALONEY of New York, Mr. LAFALCE, Mr. TIERNEY, Mr. WEYGAND, Mr. NADLER, Mr. RYUN of Kansas, Ms. LEE, and Mr. CROWLEY.
 H.R. 1354: Mr. THORNBERRY and Mr. BLUNT.
 H.R. 1355: Ms. WOOLSEY, Mr. BLUMENAUER, Mr. BROWN of California, Ms. NORTON, Mr. WAXMAN, Mr. FILNER, Mr. PRICE of North Carolina, Ms. SLAUGHTER, Mr. BLAGOJEVICH, Mr. ALLEN, Mr. WU, and Mr. STARK.
 H.R. 1366: Mrs. BONO, Ms. DUNN, Mr. BARR of Georgia, Mrs. KELLY, Mr. FRANKS of New Jersey, Mr. TIAHRT, Mr. REYNOLDS, Mr. FROST, Mr. RYAN of Wisconsin, Mr. COLLINS, Mr. ANDREWS, Mr. CLAY, Mr. WELLER, Mr. ARMEY, and Mr. BACHUS.
 H.R. 1368: Mr. ROHRABACHER, Mr. METCALF, and Mr. GARY MILLER of California.
 H.R. 1385: Mr. STRICKLAND, Mrs. MINK of Hawaii, Mr. RAHALL, Mr. LAFALCE, Mr. COSTELLO, Mr. GILCHREST, Mr. SESSIONS, and Mr. OLVER.
 H.R. 1395: Mr. REYES.

H.R. 1402: Mr. SISISKY, Mr. RODRIGUEZ, Mr. WYNN, Mr. MCINNIS, Mr. ISAKSON, Mr. EVERETT, Mr. SHADEGG, Mr. TURNER, Ms. MCCARTHY of Missouri, Mr. EDWARDS, Mrs. MEEK of Florida, Mr. DIAZ-BALART, Mr. UDALL of New York, and Mr. LUCAS of Kentucky.
 H.R. 1413: Mr. SANDERS and Mr. SCHAFER.
 H.R. 1425: Mr. DUNCAN.
 H.R. 1441: Mr. WATTS of Oklahoma.
 H.R. 1443: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 1470: Mr. BARRETT of Wisconsin.
 H.R. 1491: Mr. LAFALCE, Ms. LOFGREN, Mr. VISCLOSKEY, Mr. BARRETT of Wisconsin, Mr. CLYBURN, Mr. RAHALL, and Mr. KLINK.
 H.R. 1494: Mr. WHITFIELD.
 H.R. 1495: Mr. MCGOVERN, Mr. SANDLIN, Mr. GEORGE MILLER of California, Mr. KENNEDY of Rhode Island, and Mr. WYNN.
 H.R. 1497: Mr. BALDACCIO, Ms. DEGETTE, Mr. MEEKS of New York, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. NAPOLITANO.
 H.R. 1505: Mr. COLLINS.
 H.R. 1519: Mr. GUTIERREZ.
 H.R. 1525: Mr. DAVIS of Illinois, Ms. MILLENDER-MCDONALD, Mr. WEINER, and Mr. MINGE.
 H.R. 1549: Mr. ENGLISH, Ms. PELOSI, Mr. DINGELL, Mr. ROEMER, and Ms. KAPTUR.
 H.R. 1554: Mrs. BONO, Mr. STRICKLAND, Mr. HILL of Montana, and Mr. NADLER.
 H.R. 1556: Mr. ETHERIDGE, Mr. DEFazio, Mr. UPTON, Mr. CLEMENT, Mr. WHITFIELD, Mr. GILMAN, Mr. MCHUGH, Mr. ENGLISH, Mr. HOBSON, Ms. RIVERS, and Mrs. Kelly.
 H.J. Res. 9: Mr. SANFORD, and Mr. GOODE.
 H.J. Res. 41: Mr. DEUTSCH, Mr. MEEKS of New York, and Mr. BAIRD.
 H. Con. Res. 8: Mr. SHIMKUS.
 H. Con. Res. 30: Mr. WICKER, Mr. BACHUS, and Mr. CAMPBELL.
 H. Con. Res. 60: Mr. BROWN of California, Mr. BARRETT of Nebraska, and Mr. LEVIN.
 H. Con. Res. 77: Mr. WICKER and Mr. LEVIN.
 H. Con. Res. 78: Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. SHAYS, Mr. LUTHER, Mr. CARDIN, and Mr. BLAGOJEVICH.

H. Con. Res. 79: Mr. FRANKS of New Jersey, Mr. BOUCHER, Mr. RILEY, Mr. LOBIONDO, Mr. PAUL, Mr. PHELPS, Mr. WATKINS, Mr. ADERHOLT, Mr. HILL of Indiana, Mrs. BIGGERT, Mr. PASTOR, Mr. TURNER, Mr. BALDACCIO, Ms. RIVERS, Mr. THOMPSON of California, Mrs. JONES of Ohio, Mr. WHITFIELD, Mr. KIND, Mr. HANSEN, Mr. CANADY of Florida, Mrs. MYRICK, Mr. ROGERS, Mr. JEFFERSON, Mrs. JOHNSON of Connecticut, Ms. STABENOW, and Mr. NEY.

H. Con. Res. 82: Mr. SANFORD, Mr. GANSKE, and Mr. METCALF.

H. Con. Res. 84: Mr. BEREUTER, Mr. HULSHOF, Mr. KUYKENDALL, and Mr. MANZULLO.

H. Res. 41: Mr. BAIRD, Mr. DREIER, Mr. LEWIS of Georgia, and Mrs. LOWEY.

H. Res. 89: Mr. GEJDENSON, Mr. LAFALCE, Mr. WYNN, and Mr. ENGLISH.

H. Res. 109: Mr. KLECZKA, Mr. WISE, Mr. THOMPSON of Mississippi, Mr. SMITH of Washington, Mr. KOLBE, Mr. WICKER, Mr. MOORE, Mr. CLYBURN, Mr. HILL of Montana, Mr. BEREUTER, Mr. PHELPS, Mr. BALLENGER, Mr. WYNN, and Mr. NETHERCUTT.

H. Res. 115: Mr. GOODE, Mr. BLAGOJEVICH, Mr. TALENT, Ms. ROYBAL-ALLARD, Mr. BROWN of Ohio, Mr. ABERCROMBIE, Mrs. NAPOLITANO, and Mrs. MINK of Hawaii.

H. Res. 146: Mrs. MORELLA, Mr. MEEHAN, Mr. BOEHLERT, Mr. TIERNEY, Mr. GUTIERREZ, and Mr. GEJDENSON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 351: Mr. CUMMINGS.
 H.R. 1239: Mrs. CHRISTENSEN.